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JUSTICE THROUGH VIOLENCE?

ETHICAL CRITERIA FOR
THE LEGITIMATE USE OF FORCE



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Edited by Eckehart Lorenz

DEPARTMENT OF STUDIES
THE LUTHERAN WORLD FEDERATION
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FOREWORD

In view of the wide diversity of opinion among Lutherans on the understandings of the legitimacy of governments, resistance and revolution, the Sixth Assembly of the Lutheran World Federation at its meeting in Dar es Salaam in 1977 resolved that

the Lutheran World Federation undertake in consultation with member churches studies of the criteria for the use of power, the use of violent and non-violent methods for social and political change, the role of law in human communities, and the public responsibility of the churches.

At the request of the LWF Commission on Studies a study on Violence and Non-Violent Methods in the Maintenance of Order and in the Struggle for Change was carried out from 1981 to 1983 and this is documented in this booklet. This study was conducted in close connection with two other studies, one on the theological bases of human rights - human rights being politico-ethical criteria for the use of power - (cf. How Christian Are Human Rights? Geneva, 1981), and the other on criteria for public statements on violations of human rights (cf. To Speak Or Not To Speak? Geneva, 1984).

Special thanks go to Dr. Ekehart Lorenz, Secretary for Social Issues, for conducting these studies and editing this documentation, and to Irma Eugster and Margaret Noetzlin for the production of this booklet. The findings of the 1982 consultation on legitimate government and legitimate resistance as well as the individual papers presented here may help the Lutheran churches even in the face of oppressive governments to give a clear witness based on Scriptures and our confessional heritage.

Yoshiro Ishida
Director

VIOLENCE AND JUSTICE

An Interconfessional Study With a Critical View of
Ideological Factors and With Case-Studies from a Variety of Contexts.
Some hints for the reader

Eckehart Lorenz

"Violence is no problem for us Africans; my African brothers will bear me out on this." This surprising statement was made by Colin Winter, exiled Anglican bishop from Namibia, at a Namibian Consultation of the Lutheran World Federation (LWF) held in Geneva in 1979. The affirmative nods of the church leaders from Southern Africa confirmed the accuracy of Winter's dictum. The administration of Namibia by the Republic of South Africa was illegal and implied a state of permanent violence against which, for the sake of justice, counterviolence had to be deployed. On this point the Africans at the discussions were unanimous.

"But it's not quite as simple as that, either," commented an American church official, though only in a whisper so soft that only his immediate neighbors could hear. A German participant also whispered his dismay that the brothers from the southern continent should apparently be prepared to justify the recourse to arms in such an unconditional way. Not one of the sceptically-minded, however, dared to voice his or her uneasiness aloud - an illustration of the difficulties of communication on one basic human question at least, namely, that of the legitimacy of the use of force.

Christians are confronted with this question in a special way and under various aspects:

- Christians undoubtedly have to champion the cause of justice for the neighbor in the most peaceful way possible.
- Is it permissible, however, for Christians to support the use of force to defend justice (a just cause)?

Unless a categorical No is returned to this last question, there are further questions which arise:

- Is participation in the use of force permissible for the Christian only in the framework of the defence of justice undertaken by the state or also - in borderline cases - in campaigns against an unjust régime on behalf of justice?
- What system of government and justice can be regarded as legitimate?
- What is the role of the state and justice in the human community generally?
- What are the criteria for the legitimate use of force by the state?

- What would be the criteria for legitimate resistance or even for a just revolution?

These questions are discussed above all in reference to defence policy programs, the struggle against totalitarian and authoritarian régimes, and certain structures of economic power which may be described as exploitive.

The answers given by Christians to all these questions are very contradictory. There is a growing awareness in the ecumenical discussion that the Church of Jesus Christ is almost as greatly divided by these answers as by the different confessional traditions. "The...difference which divides Christians in their moral assessment of force is not equivalent to an agreement of mutual complementarity, but is an unresolved controversy. The urgency of this controversy has been intensified by political developments in recent years," declared the WCC Missionary Conference in Melbourne in 1980.

Whereas there has been a vigorous debate on some of the questions listed above, others, with a close material connection with this problem area, have for decades been given scant attention in the ecumenical discussion, to the detriment of interchurch understanding. One such question is that of the tasks and limits of the state. Neither the Anti-Militarism program (1) nor the WCC Study on "Violence, Nonviolence and the Struggle for Social Justice" (1970-1973) (2) gave it the attention it deserves. Only quite recently has there been any sign that the importance of the state and of different views of the state for an ecumenical political ethic is beginning to be recognized (3). How urgently an authentic discussion among Christians on this set of themes is needed is documented by the failure, noted above, in communication at the center of international church communication, as well as by the controversy over the WCC's Program to Combat Racism and the keenness of the rearmament debate in Europe and North America at the beginning of the 80s.

These also demonstrate the immediate relevance of the study commissioned by the 6th Assembly of the Lutheran World Federation at Dar es Salaam in 1977. That Assembly called for studies "of the criteria for the use of power, the use of violent and non-violent methods for social and political change, the role of law in human communities, and the public responsibility of the churches" (4). The proposed study was a response to the profound disagreement in the Dar es Salaam Assembly as to whether there could be any such thing as a "just," or legitimate, revolution, and if so, what the criteria were by which the legitimacy or illegitimacy of a revolution was to be determined in specific cases. The present volume owes its existence both to this study proposal and to the current relevance of its theme.

Why Opposing Positions?

For those who follow the international discussion among Christians on the issue of violence and non-violence, on the just revolution and the legitimate defence of liberal and welfare constitutional states, the question arises as to the roots of the frequently very sharply opposed differences of judgment and of the communication difficulties among Christians on these issues.

Must they be traced back to the extremely diverse situations in which

Christians from the various individual nations and continents live? Does a particular situation produce a special set of interests which decisively controls (or interferes with) the learning process? Or do special ideas or ideological commitments predetermine analyses of the situation and establish in advance what is identified as the proper interest?

As the existence of the historic peace churches shows, the conflict among Christians as to the legitimacy of the use of violence once led to the creation of confessional positions and is perhaps repeating this once more today. The question remains as to the role played by cultural traditions and patterns in the perception of the phenomenon of violence, in the view taken of law and authority, as well as in the combination of these three phenomena.

Whatever estimate may be made of the relative role of the factors indicated in the emergence of different judgments as to the legitimate use of force, a study which seeks to further the discussion across the divisions cannot afford to ignore any one of these factors.

Confrontation in Depth

The edginess which usually marks the debate on the conditions for the legitimate use of force even among Christians may be taken as symptomatic of the deep fears, far-reaching hopes and values connected with group and individual identity which are being touched on by the theme in question.

To understand this is at the same time to indicate clearly the limits of a study of the criteria for the legitimate use of force. Such a study can suggest criteria in the hope of providing a reference point for further debate. It can also become, however, a stimulus to encourage a process in which judgment and opinions are formed. At best, a revision of previous attitudes takes place in the process and, above all, better mutual understanding is achieved, leading even perhaps to a convergence between opposing views. Such a process can succeed if the partners in discussion are exposed to a depth-dimensional confrontation: The main thing to be attempted here is achieving clarity about our own feelings, fears and hopes, about our own principled decisions and the values we personally regard as binding and which determine our own handling of the themes of violence, law, power, peace. We shall also need to aim at a communicable way of articulating these orientations which are so deeply rooted in the individual personality. The present volume seeks to provide assistance for such a process of wrestling and encounter. The individual papers are deliberate attempts to portray, therefore, controverted positions held by the individual contributors. In order to enlarge as much as possible the circle of the conversation this book is intended to serve, the editor sought to include conflicting standpoints. It is wholly in keeping with this purpose that the findings of the LWF consultation on criteria for the legitimate use of force, held in Geneva in 1982, make no claim to magisterial authority. On the contrary, their purpose is to provide a clearly defined jumping-off point for assisting in the process of developing opinions and making decisions in the LWF member churches (and perhaps even further afield).

When Is Resistance Justified?

In the view of the participants in the above LWF interconfessional consultation, one of the tasks of the church is "also (to) draw attention to God's commandment with regard to the state." The task and limits of the state can be illustrated, for example, from the Ten Commandments:

With regard to the first three Commandments, it is not the task of the state to see that they are observed. The state must, however, provide the possibility to worship God and also to serve him publicly. There must be no discrimination against anyone on grounds of faith and the profession thereof. In our opinion, the freedom of religious observance must on principle be guaranteed and protected by the state. A state acts against God's will when it makes itself, an individual human being, the human being as a whole, an idea or any other concept into an object of boundless, unquestioning loyalty.

With Commandments 4-10, a particular dignity and duty are vested in the state. The state must...protect the family and likewise ethnic groups and linguistic communities, it must safeguard marriage, lawful property and human dignity (Commandments 7-10) and must guarantee that truth and justice are not manipulated (8th Commandment).

The consultation also evaluated the state from a theological standpoint in three respects:

A kind of state system organizing human coexistence is already part of God's 'originally good' creation. Like everything that has been created, the state is also fundamentally subject to the reign of sin and evil. Even under these conditions, the state, whose authority now also includes the use of force (the so-called "sword") in order to protect the law, is a relatively good ordinance of God.

In situations where the actual state is in manifest contradiction to its task, Christians have various possibilities of witnessing to God's will. In the consultation's view, three basically distinct positions can be identified:

- that of exclusively personal witness;
- that of resistance which is in principle non-violent but with a clear political intention ("non-violent action");
- that of violent resistance as a last resort.

In the view of the consultation, violent resistance can only be legitimate ("just") if a whole set of conditions ("criteria") are met. The following are the most important:

- There must be an adequate reason for resistance, such as torture, arbitrary executions, the conquest of the nation by another, the refusal of legal security and a democratically endorsed constitution.
- All possibilities of non-violent resistance must previously have been tried without avail.

- The resistance group must present a concrete and binding proposal for the alternative constitution aimed for, guaranteeing protection of civil and political rights as well as maintenance of social, economic and cultural rights, and doing so, indeed, to a considerably greater measure than the previous régime (order).
- The resistance group must already have made preparations for an alternative government able effectively to guarantee the defence of the human rights of all citizens, i.e. it must be possible with reasonable probability, to avoid further fighting between different factions of the victorious revolutionaries.
- It must be possible for an alternative government, with reasonable probability, to establish law and order in a foreseeable and limited space of time.
- All illegitimate forms of combat - such as terrorism, taking of hostages, torture in all its forms, killing of prisoners and non-combatants - must be avoided in the armed resistance offered.

If violent resistance is to qualify at all for legitimacy, all these criteria must be considered.

A Critical View of Ideologies

The ethical assessment of violence is a watershed for the various world-views. This is documented in Martin Honecker's contribution. Honecker distinguishes between the traditional Christian doctrine of legitimate resistance and modern ideologies which assign a positive role for violence which makes it difficult to see any need to restrict this role. He has in mind here the contemporary theories of revolution influenced by Marxist theory, as well as George Sorel's mythologizing defence of violence, which has influenced anarchists, fascism and Leninism. Honecker differentiates between ideologies which unleash violence and revisable law. Whereas in a constitutional democracy political power is based chiefly on the compromise or consensus of the citizens, in social systems whose legitimacy rests on violence-oriented ideologies, political power depends on the fear or apathy of the citizens.

Violent and arbitrary rule characterized the National Socialist State. The constitution of the Federal Republic of Germany, where Martin Honecker lives, was deliberately fashioned as a counter-model to Adolf Hitler's régime. It is a liberal democratic welfare state with a written constitution, based on freedom, social justice and democracy. As such it finds itself totally opposed to the aims of contemporary totalitarian associations which use terrorists measures to further their planned destruction of this constitutional state. This - sketched very broadly - is the situation which formed the background to the set of theses on "Violence and Its Use in Society" published by the Commission for Public Responsibility of the Evangelical Church in Germany (EKD) in 1973. Although the innerchurch conflict over the support of anti-colonialist and anti-racist guerilla groups was the immediate occasion for these theses, their substance undoubtedly reflects experiences of the clash between arbitrary régimes and constitutional government in German and European history. Honecker discusses the most important affirmations of these theses while at the same time commenting on

the WCC's study of violence, which was also completed in 1973.

Whereas a wide variety of views on the use of violence emerged in the ecumenical discussion, there was unanimity within the EKD that a legitimate use of force is possible and on the principle that force must remain consistently tied to the sovereignty of law. Disagreement emerges here, however, in respect of which concrete rights and which political constitutions can claim legitimacy. Honecker concludes his paper by offering some guidelines for an assessment of terrorism. He reflects on the relationship between power, ruler, justice and force in the light of basic theological distinctions (not separations) characteristic of the Reformation tradition: e.g. the distinction between law and gospel, between God's spiritual and secular government of the world, between the authority of God's Word and the political power of human beings.

A brief comparison with the 1967 papal encyclical Populorum progressio brings to light an important convergence between Roman Catholic social doctrine and the EKD Theses, and one of the three positions in the WCC study: violent resistance is legitimate only in the last resort as an escape from a long and manifest tyranny. It is also admissible, however, only if it is likely to lead in a reasonably near future to a rule of law and order.

Ethics or Theology of Liberation?

Abisai Shejavalu, a Lutheran theologian from Namibia/South West Africa, seems in this respect to share the position of representative church declarations as well as the view of his fellow contributor Martin Honecker. Shejavalu describes the history of the non-violent civil rights movement in the USA under the leadership of Martin Luther King, with special reference to the latter's indebtedness to Mahatma Gandhi's satyagraha ethos. Shejavalu doubts, however, whether Martin Luther King's approach is transferable to the situation in Southern Africa today. In face of the "inhuman methods of a draconian system of oppression," it may well be the case that "organized counter-force" can achieve what Martin Luther King aimed to achieve by non-violence: namely, the deliverance of both the oppressed and the oppressor from an unjust and oppressive system. In other words, for Shejavalu too, violence is a last resort. This convergence in principle is an encouragement to further discussion.

Shejavalu nevertheless differs from Honecker in the details of political theory and in respect of the theological argument. It seems reasonable, therefore, to question whether agreement has really been achieved in basic points. A few brief reminders are all we have space for here. According to Shejavalu, revolutionary violence is meant to secure victory over tyranny and injustice and to establish a free and just society. He rightly stresses the danger of a counter-productive development leading to a "new tyranny and bondage." It still remains to be explained, however, how a negative development of this kind, for which there are plenty of historical precedents, is to be avoided. Above all, it is still not clear what is meant by justice. Does it mean the protection of the basic human rights of all citizens by the revolutionary government? To what extent are the ideals of constitutional process and democratic law binding on this government? How do law, power, authority and force relate to one another in the new order? This is not to question the nobility of the author's intentions or those of many revolutionaries, and even less the flagrant injustice of the present

political system in Southern Africa. But one of the recommendations in the WCC study of violence is that precise ideas of the alternative order being striven for must be achieved prior to the revolution (e.g. a draft constitution should already exist) (5).

There are striking differences in theological argument. Shejavalali wonders whether the use of violence by the oppressed against the oppressors is not the Christian's participation in God's war against evil. He refers in this connection to the disciplining God of the Old Testament and to the apocalyptic judgment. There is a clear tendency on Shejavalali's part to posit an analogy between human attempts to achieve liberation and the liberating activity of God. Honecker, on the contrary, emphasizes the irremovable distinction between God's final judgment and the relative and provisional character of human justice. He sees a sharp contrast between the possibility of legitimate armed resistance, on the one hand, and Old Testament ideas of the holy war, on the other. There is no mistaking the mark left on Shejavalali by the theology of liberation. The theological differences between him and Honecker illustrate well the obstacles still to be overcome in the effort to achieve an agreed political ethic in the Lutheran World Federation...

View of Law and State

"Is the majority decision of a parliamentary body...sufficient to warrant the creation of unalterable future conditions the negative results of which can be neither controlled nor even estimated, by the building of a nuclear power station or the storage of toxic waste products? The question here is obviously that of striking a balance between the strict legality of a decision and its responsibility in terms of considerations which transcend the law, between merely formal legality and substantial legitimacy."

It is with pregnant current examples such as this, derived from the context of modern industrial society that Albert Stein illustrates subtle and, to some extent, abstract legal conditions, such as the conflict between legality and legitimacy, but also their reciprocal relationship. How do morals, moral values, ethical and legal norms, interact? Where do the differences lie? What is the role of law in human community? In impressive images, the author outlines answers to these questions as well as new questions arising from these answers. The same is also true of his presentation of different types of states, whose specific aims are evaluated by Stein in each case. At the same time he shows their particular limitations and dangers:

We are given a vivid picture of the patriarchal "Father" state, ordered in strict hierarchical fashion, seeking to establish security by the concentration of power but proving insufficiently flexible in face of rapid social change. "The law's the law" - an authoritative view of law is the appropriate characteristic of this patriarchal state.

The socially concerned state, sometimes in the extreme form of the "welfare" or "providence" state, is here called the "Mother" state, an unusual image, as the author allows. The reader will nevertheless appreciate the metaphor since it paves the way to an understanding of the welfare state's conception of its tasks, its functioning and its view of law. "In the welfare state understood in such 'maternal' terms, the welfare of the citizens...has become the principle for the interpretation of the law and

the ultimate meaning of the state's activity. In contradiction to this is a growing self-imposed compulsion as well as a penal system which includes as a limiting possibility the elimination of all resistance to it." Paradoxically, a loving caring state of this sort does not stimulate its citizens to be ready to defend their home.

The state which sees itself as "Guardian" aims at a synthesis of the authoritarian patriarch and the caring mother. Nothing really happens through the people but everything is done for them. This is emphasized in the various declaratory writings of the "Guardian" states. Later on, when the people have eventually become adult, all the decisions will be taken by the people themselves. Such a "Guardian" state can accomplish much for its citizens, as can be seen from the achievements of communist dictatorships in limited fields. When gigantic steps are needed if people are to survive and when democracy is not yet familiar enough, as is the case in some developing countries, a guardian seems inescapable. "Who," then, "is to legitimize, who is to check the guardians themselves, especially to ensure that their guardianship really strives for the maturity of those in ward and therefore for the speedy termination of this wardship? To what extent is it legitimate to sacrifice the unique life of people living today on the altar of a remote and uncertain future?"

Hitler's fascist dictatorship is used by Stein as an example of what he has in mind in speaking of the "Gladiator State." In such a state, the idea of law is reduced to an instrument for enforcing the ruling ideology. The outlook in such a state is dominated by unlimited power exercised from above downwards and by unlimited submission to the authorities. Externally, life is marked by conflict, with the destruction of the enemy as the goal with a view to achieving the complete victory of one's own ideology. Stein mentions the communist states only under the rubric of the "Guardian State" but not under that of the "Gladiator State." This is remarkable, in as much as the gladiatorial character of the Eastern "Guardian States" was hotly contested in the American-European peace discussion of the early eighties.

Stein also has original points with which to surprise the reader when he deals with the question of the theological and ethical assessment of the various types of state.

Resistance to Liberal and Democratic Constitutional States?

"How far can resistance to the state and its decisions be justified?" This is the question investigated by Martin Kriele, an expert on constitutional law. He concentrates on the Federal Republic of Germany and, more specifically, on the theoretical basis of campaigns of resistance to the deployment of medium range missiles in this country in 1983.

If a certain number of citizens consider illegitimate a lawfully taken government decision, is resistance to this decision permissible? In the case of "constitutional liberal democracies, where power is shared and human rights are respected," Kriele's answer is No, it is not permissible. The constitution of such states provides lawful means of overcoming injustice: "e.g. appeal to independent courts, democratic reform of the law, political checks, criticism in the media, public protest." According to Kriele, in a liberal democratic constitutional state, a legitimate right to resist exists "only in defence of the constitutional order when the latter is

threatened either from above, by a putsch or coup d'état, or from below, by a rebellion or revolution." "There is a right to resist, therefore, in defence of democracy but not against democracy." "It is different in the case of tyrannies, i.e. in dictatorships, foreign occupations, racist régimes, totalitarian systems. According to traditional doctrine, here even tyrannicide is justifiable in natural law, provided it does not provoke some greater evil but is aimed at the establishment of a just state."

How is the opposition of certain citizens to this basic truth of democratic citizenship to be explained? In Kriele's view, there are various reasons. "...especially the failure of the (democratic/ed.) 1848 revolution, caused the underdeveloped sense of law to turn into the German sickness." This explains the markedly German tradition of "a contradictory attitude to law and justice, oscillating between fanaticism and a spirit of submissiveness, between romantic subjectivity and ready submission to objective power relationships, between lawless anarchy and an equally lawless state violence." In this connection, Kriele dismisses as an illusion the idea "that the policy of détente requires us not only to recognize internationally the equality of rights among the states but also to assume the moral equivalence of the political systems in East and West."

Political Authority and Resistance - in the Thought of Martin Luther

Martin Luther never developed any systematic theory of political sovereignty and civil obedience or resistance. The presentation of Luther's doctrine of the permissible (legitimate) use of physical coercion is one which will always require fresh interpretation. In such interpretation, two things need to be remembered in particular: firstly, the social and political context of Luther's statements and, secondly, the intellectual and theological horizon within which Luther himself understood his statements on political ethics. This includes, above all, Luther's anthropology, his idea of the eschatological struggle of God with the devil, the question of the way to eternal salvation, the central significance of conscience - as Frederic Cleve, a church historian from Turku in Finland, points out in his contribution. Cleve stresses that it is impossible to apply Luther's views on this set of questions to specific contemporary situations as normative directives and with absolute clarity. He tries to show this by a contemporary example: the resistance of the Finns, at first non-violent and then violent, to their compulsory integration into Tsarist Russia at the beginning of the 20th century. Taken with the black "civil rights movement" in the USA, the situation in Namibia, and the resistance debate in the Federal Republic of Germany in the year 1983, the way in which Cleve blends in the Finnish-Russian conflict helps to widen the range of case studies in the analysis of the problem in this volume.

Non-Violent Discipleship Versus the Use of Violence as Borderline Case of Neighborly Love - an Interconfessional Conflict

Whether it be resistance to racism in Namibia, resistance to totalitarian tyranny or terrorism in Germany, resistance to an armed aggressor in Luther, all the ethical approaches previously developed strive for a combined reduction of violence and injustice to a minimum. They do not categorically prohibit the use of force, however. On the contrary, in border-

line situations, the use or threat of force can prevent greater evil, and is therefore one of the duties of a Christian, insofar as he or she has accepted a public office. In this sense the mainline Reformation churches, together with the Roman Catholic Church, recognize a legitimate form of resistance, including the use of force where this really is the only solution left.

From the earliest days of the Christian church, however, voices have always been heard calling for an absolute renunciation of the use of force by Christians. According to this position, discipleship of the Lord Jesus Christ restricts us to non-violent means in the struggle for justice. At the time of the Reformation, entire communities already adopted this position. This witness has continued to live down to the present time in the historic peace churches (Mennonites, Quakers, Brethren Church). The Augsburg Confession condemns this position in the persons of the "Anabaptists." This repudiation of the Anabaptists and their theology, on the one hand, piled up much bitterness between the peace churches and the Lutheran churches, while, on the other hand, it prevented the point at issue in this confessional conflict from being treated less seriously than it deserved. In the context of the Puidoux Conferences, the European churches and the historic peace churches have studied their confessional differences together, in the years 1935 to 1975. A full documentation of this process of reflexion exists has been put together in English by D.F. Durnbaugh (6). A systematic study of these consultations still remains to be written (7). The present study could provide a stimulus for this.

Marlin E. Miller, a pupil of John Howard Yoder and of Heinz Eduard Tödt, summarizes the experiences of the historic peace churches with state governments and mainline churches in past centuries. He shows a significant connection between the social form of churches and their theology. A systematic survey of the treatment of justice, power and violence in the contemporary theology of the historic peace churches provides him with his starting point for perspectives on political ethics in a world whose inhabitants are almost at a complete loss in face of injustice and upsurges of violence. Miller's richly-packed essay also documents at the same time the theological quarrel between the historic peace churches and the main Reformation churches. How far can or must the new life into which Christians have entered achieve visible shape in the life of the individual and in the life of the congregation? Is the Christian ever permitted to use force, since this surely belongs to the departing old world era? Here the answers of the peace churches diverge from those of Lutheran Christians.

Jürgen Denker, who teaches New Testament theology in Argentina, has studied this question in the light of the New Testament documents. Inter alia Denker reaches the following conclusions: "In accordance with the New Testament, it is possible to speak of principles of Christian conduct. These include the Christian's readiness for peace and a basically non-aggressive attitude. Even in respect of the application of force, therefore, Christian conduct cannot be left simply to the supposed demands of a given situation as a determinative norm."

"The differentiation between old world and new world in the action of Christians and the Christian community in relation to the world can only be achieved in faith. The conduct of Christians as such can coincide in every respect with that of other groups. While it is true that the action of Christians can become a sign, it nevertheless remains as such always ambiguous, and this applies therefore even to the decisive rejection of all

forms of violence. Despite its 'visibility,' only to faith does it become visible as action based on faith."

The Need for an Intercultural Perspective

It is clear from the contributions to this study that our judgments on the use of force are largely determined by ideological and philosophical as well as by confessional attachments. But does the ethical evaluation of the use of force depend only on ideology and confession? Cultural traditions could be another factor influencing the way we perceive force as a problem. This can be illustrated by the following excerpt from an article on justice in contemporary Kenya:

"James Mbugua Kahu killed his drinking companion Mungai Gatheru with an iron bar in a pub brawl in Nairobi. He was sentenced to one day in gaol. After a round of the pubs, James Wekesa killed his fellow-tribesman Johathan Emalika in Eldoret. Sentence: one day in gaol. In Mombasa on the Indian Ocean, a husband kills his wife for having slept with another man. Sentence: one day in gaol... Charo Mole enters his neighbor's stall in the spa Malindi, and steals three hens and a plastic comb, with a total value of 156 Kenya shillings. Sentence: three years with no remission... A villager is caught in the act of stealing a cow in Kithale. Sentence: seven years imprisonment... The black judges with the white wigs still deal out justice for the most part in the manner of their ancestors. Most of the Kenyan population still believe in the archaic clan justice... Thieves and pickpockets pursue their activities in Kenya at the risk of lynch law. The police seldom or never interfere when a mob gathers - even in the center of the capital city - and uses clubs and knives to judge a trapped handbag snatcher" (8).

If the way justice is meted out in Kenya, as illustrated by this report, is compared with contemporary Western practice, it is obvious that the use of force against the human person is not judged in the same way throughout the world. The same applies to the relation between violence and justice. Do we have here a key for overcoming communication barriers of the kind which hampered the discussion referred to right at the beginning of this introduction?

Pointers to a different coordination of force and justice can be discovered, for example, in a discussion with Latin Americans and Africans about instances of violent oppression. The concept of the "violation of human rights" is very common among Latin Americans, whereas Africans seem more inclined to speak of "suffering" in reference to similar instances. In the former case, experience of violence is classified juristically; in the latter case, biologically.

These examples show that it is impossible to ignore intercultural factors in the question as to which factors have helped to shape a particular cultural form. Using the available findings of historical research, this question would need to be answered specifically for each of the cultures compared.

To understand violence in Latin America, for example, we should have to ask, among other things, whether the tendency to appeal to legal categories is due to a very ancient tradition: namely, that of pre-Christian Roman

society, which already viewed relationships between human beings in rational legal categories. The influence of Roman legal categories (via the rhetorical schools, certainly) on the development of Christian theology can already be seen in the ancient church, in which theologians of the western Empire tended to formulate dogmatic statements in legal categories, whereas their colleagues in the eastern Empire tended more to employ philosophical terms. Vehicled by the western Roman church, in particular its canon law, the tradition of Roman law would then have taken root in Latin America. Comparisons with the way violence is perceived in countries influenced by (originally east Roman) Orthodox Christianity would certainly bring out helpful insights for this hypothesis.

Religious factors, too, are involved in the development of ways of checking arbitrary violence. This can be seen, for example, from the "Truce of God" movement of the 10th and 11th centuries. Arising in the context of a renewal movement, first of all within monasticism and then in the whole church, it became a decisive impetus in attempts to overcome the "law of the jungle" and the "feud law" (9).

The latter movement, the attempt to outlaw feuding, prolonged basic impulses of the Truce of God movement. Here, too, are the main roots of the state's monopoly of force, in the special historical form it achieved in 1495 with the final end of feuding. The prohibition of feuds embraced e.g. the Netherlands, Germany, Austria, Italy. These examples of Roman law and the Truce of God movement show the need to take account of historical epochs, for transcending the range of the studies here presented, in any intercultural approach to the coordination of force and law. Wolfgang Lienemann's study, to which reference has been made, performs this service for western culture. His findings would need to be compared with corresponding studies of other cultures, African, for example. It was impossible to include such a comparison within the limits of the present study. It would perhaps uncover strongly traditional patterns in the way law and violence are perceived, patterns which hamper the ecumenical communication process among Christians today, all the more so for being still unconsciously at work. The theological problem of intercultural studies on the relation between violence and law in the setting of the ecumenical debate is defined in the following question:

"How can we determine an unconditioned truth in relation to which it is possible to distinguish different historical contexts as such, relativize historical attitudes, and reshape individual conceptions of Christianity?" (10)

* * *

Notes:

- (1) "If we were to address ourselves to the theme in the light of the task and limits of the state, it might be easier to achieve a better understanding of the problems brought together under the rubric of the phenomenon of militarism but which are often very disparate problems." This is the view of Hermann Kalinna, "Das ökumenische Programm für Abrüstung," in Erwin Wilkens (ed.), Christliche Ethik und

Sicherheitspolitik, Evangelisches Verlagswerk, Frankfurt 1982, p. 169.

- (2) The study findings are printed in The Ecumenical Review 1973 Vol. XXV, pp. 430 ff. Cf. also Eckehart Lorenz, "Gerechtigkeit durch Gewalt?" in Zeitschrift für Evangelische Ethik, 4/1983, pp. 445 ff., esp. p. 465.
- (3) Cf. the contributions of Anwar Barkat and Neville Linton in Koson Srisang (ed.) Perspectives on Political Ethics. An Ecumenical Enquiry, Geneva 1983. The report of the Cyprus consultation on "Ecumenical Perspectives on Political Ethics" of October 1981, reproduced on pp. 14 ff. of this book, still does not give the attention to the question of the role of the state which it deserves in this context.
- (4) Cf. In Christ - A New Community, Official Report of the Dar es Salaam Assembly, p. 208, par. 231.
- (5) David Gill, who as a member of the Church and Society Sub-Unit of the WCC, coordinated the study of violence from 1971 to 1973, wrote in retrospect: "To change a particular order is not necessarily to improve it... The 1973 document, were it being written now, would perhaps include a sharper warning to this effect, that a political organization's proclamation of goals does not necessarily say much about the quality of the struggle in which it is engaged or the quality of whatever new social order may emerge" (David M. Gill, "Violence and Non-Violence, Resuming the Debate," in The Ecumenical Review 32/1980, No. 1, pp. 25 and 27).
- (6) Donald F. Durnbaugh, On Earth Peace, Discussions on War/Peace Issues Between Friends, Mennonites, Brethren and European Churches 1935-1975, The Brethren Press, Elgin/Illinois 1978.
- (7) Cf. Wolfgang Lienemann, Gewalt und Gewaltverzicht. Studien zur abendländischen Vorgeschichte der gegenwärtigen Wahrnehmung von Gewalt, Kaiser Verlag, München 1982, p. 183, n. 400.
- (8) Geliebte Lebensart, Der Spiegel No. 9, 1984, pp. 48 f.
- (9) Cf. eg. Hartmut Hoffmann, Gottesfriede und Treuga Dei, Monumenta Germaniae Historica XX, Anton Hiersemann, Stuttgart 1964. The sermons of Ademar von Chabannes, printed here in an appendix, show that the problems and concerns which encouraged the Truce of God movement were at the same time a stimulus to sermons on peace and caused an even NT critique of violence to gain a place in the contemporary sermons of the day (op.cit. pp. 257 ff.).
- (10) Trutz Rendtorff, "Europäismus als geschichtlicher Kontext der Theologie. Bemerkungen zur heutigen Kritik an 'europäischer' Theologie im Lichte von Ernst Troeltsch," in Europäische Theologie. Versuche einer Ortsbestimmung, ed. Trutz Rendtorff, Gütersloher Verlag 1980, p. 172.

CRITERIA FOR NON-VIOLENT AND VIOLENT RESISTANCE

Findings of an LWF Interconfessional Consultation
Geneva, January 4-8, 1982

INTRODUCTION

Jesus Christ is our Savior. Through his death on the cross he has redeemed us from sin, and through his resurrection from the dead he has brought about the new creation. In Jesus Christ the new creation has appeared. When he perfects it, creation is restored beyond the Day of Judgment. In this new world creation is revealed clear for all to see, and thus God fulfills his promises. It is the calling of the church to proclaim, to communicate and to display this redemption.

One of the mandates of the church, which lives in this world, is to proclaim God's will everywhere. For this reason it must also draw attention to God's commandment with regard to the state.

God's will cannot simply be codified like a set of laws, but an important summary of it is given in the Ten Commandments, where we find the following directives:

With regard to the first three Commandments, it is not the task of the state to see that they are observed. The state must, however, provide the possibility to worship God and also to serve him publicly. There must be no discrimination against anyone on grounds of faith and the profession thereof. In our opinion the freedom of religious observance must on principle be guaranteed and protected by the state.

A state acts against God's will when it makes itself, an individual human being, the human being as a whole, an idea or any other concept into an object of boundless, unquestioning loyalty.

With Commandments 4-10 a particular dignity and duty are vested in the state. The state must not violate what is laid down in Commandments 4-10; on the contrary, it must encourage their observance and prevent their violation. It must protect the family and likewise ethnic groups and linguistic communities, it must safeguard marriage, lawful property and human dignity (Commandments 7-10), and must guarantee that truth and justice are not manipulated (Eighth Commandment).

Jesus Christ our Savior is also the original image of true humanity. He has fulfilled God's will (Matt. 5:17) and by so doing has radicalized it. Besides the love of God the supreme commandment, which must be fulfilled in the strength of the Holy Ghost, is therefore to love one's neighbor, even to the extent of loving one's enemy.

To what extent the one will of God can be applied to action within the realm of the state will be further clarified below.

1. STATE AND POWER

The terminology used in the controversy about political action is often unclear and misleading. In English a distinction can be made between power (potentia), force (approximately vis) and violence (violencia). All these terms can be used in the narrower or wider sense. It is also disputable whether the term "violence" is at all applicable to legitimate compulsory measures adopted by a state; in such a case only violent action contrary to the law could be qualified as such. The German word Gewalt can mean potestas (in English approximately "legitimate power"), or potentia or vis (in the sense of "force"), or violencia, or several of these combined. The German word Macht (meaning rather potentia, but also potestas) more or less corresponds to the English word "power".

This multiplicity of meaning is due to a certain intrinsic difficulty in the subject matter. The legitimate authority of the state, an authority which can expect to be respected, will on encountering resistance take steps to overcome it. Thus "power" (Staatsgewalt = the legitimate power and authority of the state) can become "force" (the legitimate enforcement of power) or "violence" (a legally contentious manner of enforcing power).

A theological interpretation of the power of the state should be based upon creation. According to this a threefold qualification is given of the state and its power: a) a kind of state system organizing human coexistence is already part of God's "originally good" creation; b) like everything that has been created, the state is also fundamentally subject to the reign of sin and evil; c) even under these conditions the state, whose authority now also includes the use of force (the so-called "sword") in order to protect the law, is a relatively good ordinance of God. - However, all creation is also oriented towards the redemption by Christ, and the fulfilment in which the redemption of this world will be accomplished.

The following conclusions can be drawn from these definitions: the existence of authority and power is not evil in itself; inherent in them is an element of God's good creation. At the same time authority and power are also subject to evil. Thus all power has a tendency to increase and consolidate itself as an end in itself, and is furthermore all too susceptible to misuse, for instance by the illegitimate use of violence. Yet the enforcement of legitimate power can be necessary to avoid even greater evils.

We consider the use of the term "structural" power to be problematic, above all because of its ambiguity. This term originally covered a broad range of diverse meanings: social and economic injustice, cultural alienation, political oppression by the misuse of institutional power (through the judiciary, secret services, the military, the mass media, etc.). Since the term "structural" power covers widely different phenomena, it is liable to be misused. One instance of this is its limitation to the illegitimate utilization of institutional power. It is even occasionally misused to designate the mere fact of having the means of enforcing power available and ready. Owing to its conceptual unclarity, the term "structural" power is misleading and unsuitable for mutual understanding.

Where institutional power is misused, a tendency to employ subliminal measures can be observed, such as press censorship, disinformation, electronic surveillance, psychological manipulation by drugs, discrimination against specific target groups, etc., since such measures are elusive and difficult to monitor. The misuse of institutional power in the form, for instance, of

intimidation, terror, torture, murder and show trials, can increase fear and oppression to intolerable extremes.

The fact that the overall organization of any society gives rise to more or less strong compulsions is a totally different matter. The term "structural" power is likely to blur this distinction as well. An appraisal of the various compulsions deriving from each and every form of social organization will be influenced, inter alia, by diverse philosophies and convictions.

Social conditions which deny part of the population the satisfaction of their basic needs, consolidating and accentuating crass inequalities, should be described in terms of justice or injustice (e.g. the violation of economic, social, political, cultural rights, unjust distribution, inequality of opportunity, etc.). Unlike the concept of violence legal concepts allow a finer differentiation in the analysis and specification of social conditions and state systems, and are thus also conducive to more open communication on questions of injustice.

To distinguish solely between "revolutionary" (= good) and "reactionary" (= bad) force ignores the threefold qualification of the state (see introduction above). This sweeping condemnation of certain societies simplifies opinions of them, and at the same time precludes possible direct means of reducing economic distress, political oppression and the illegal use of force. On the other hand it also ignores that even the best state and social system has inherent elements of sin and evil and is thus ambivalent.

The geographical territory, the culture, language and traditions of a people are part of what God has given that people through history. They belong to God's good creation (preservation). It is therefore right and just that the people concerned should decide about all these matters itself and strive for liberation from alien dominion.

The self-determination of a nation can take effect in various ways, the most appropriate being a form of representation of the people which guarantees each and every individual member a maximum of participation in political and social decisions.

In order to serve the protection and development of the nation, the people's representatives must be able to claim power and authority. They must be able to rely on their decisions and institutions being respected. At the same time they are responsible to the people, and effective means of supervising and controlling their exercise of power must therefore also exist. The rights and duties of office-holders and of the population must be laid down in a constitution. The people's representatives must exercise power in conformity with the constitution.

The constitution must define the basic human rights of the entire population. Individual citizens must be protected by the constitution from all obligations which would bring their consciences into conflict with God's ordinance. At the same time allowance must be made in the constitution for its amendment in accordance with certain provisions. We regard the dignity of each and every human being as an unearned and inalienable gift of God. We consider legal security, i.e. protection against arbitrary power, as the best way of protecting human dignity.

Each and every individual citizen owes obedience to the constitution, and

to the people and institutions working with its mandate and on its behalf. Individuals and groups should also be entitled to criticize the constitution and seek to have it amended in accordance with the legislation in force. The right to amendment of the constitution, in conformity with law-ful, constitutional provisions, cannot be rescinded.

In this way it is possible to regulate the exercise of power without the need arising to effect changes by the use of violence. Where the legal and legitimate system of government is threatened by external or internal power, the duty of obedience vis-à-vis the legal system applies even when the opposing forces possess great influence.

2. AN INTERCONFESSIONAL CONTROVERSY

Among Christians there are churches (here termed peace churches), groups and individuals who reject the use of violence as a matter of principle, whether to serve the maintenance of law and order in the state or to oppose a state governed by injustice. In their opinion only non-violent action is compatible with the commandment of God.

In so doing, churches such as the Mennonites or the Society of Friends pre-suppose that the Christian is renewed through the Spirit, so that the church, as a community of true believers and those who follow Jesus Christ, constitutes a visible new society separate from the rest of humankind.

Luther set forth his opinion on whether Christians may use force in the so-called two-kingdoms doctrine (e.g. "Temporal Authority: To What It Should Be Obeyed" of 1523). According to this doctrine, the use of force by the state is a particular decree of God. It serves the purpose of punishing crimes in this world, in which evil prevails, and protecting people in jeopardy.

A sharp distinction (not separation) must be made between God's "secular" and his "spiritual" governance. They are interdependent and both are necessary for the world. In the secular realm the use of force is inevitable, and Christians must participate for the sake of their fellow human beings, who must be protected. In the kingdom of God, to which Christians belong because of their faith, there is no use of force. Christians may on no account use force for their own sake against the outside world. They can only resist through the Word or through suffering and enduring the force to which they are subjected.

When Christians act on behalf of the state as members of government or as mere citizens, they must limit the use of force as far as possible. In serving the people, the ruler must follow the example of Christ, of whom Philippians 2 says: "He emptied himself..." In this sense the ruler's power must be placed entirely in the service of the community.

Luther's doctrine on the use of force contains on the one hand the acknowledgement of its necessity, but on the other hand severely and clearly restricts it. The intention of this doctrine is not least to exclude any justification by works. We become justified and at one with God only through the faith which trusts in the gospel. No state system, and no action in connection therewith, is capable of bringing us salvation.

The standpoint adopted by the peace churches corresponds with that of Luther in that both consider an eschatological difference of the old creation and the new creation to exist between the church and the world, between true Christians and "natural" human beings. They also share the conviction that Christians as such may not exert force, that the Word is therefore the only form of resistance to which they can have recourse and that they must take suffering upon themselves if the situation arises.

From the point of view of the peace churches, however, the new creation does not begin to assume visible form only in the Word and the sacrament, but also in the social and spiritual life of the community and of each individual Christian. Whereas they are convinced that the border between the old and the new creation lies between Christians and non-Christians, Luther maintains that the Christian simultaneously belongs to the old and the new creation. In his opinion, it is not possible to put faith and Christian allegiance into visible and unequivocal practice.

These questions must be followed up in the New Testament. Here are some initial indications: For the early Christians one of the most controversial problems was the extent to which the kingdom of God was already entirely present or was still awaiting its fulfilment. All Christians agree that the essential part was accomplished, completed in Jesus Christ. Some Christians wanted to see what has already been accorded to us today in Christ and through the Spirit as the fulfilment accomplished. The major New Testament witnesses stress, however, each in their own way that the complete fulfilment is yet to come to pass, that Christians can hold fast to the hope of a visible fulfilment of all things.

Paul, for instance, is convinced that through faith we already fully grasp the forgiveness of sins, but that the full reality of the resurrection is yet to come. Only when death is conquered does Christ rule over all. Although Paul knows that the Spirit is bestowed upon us only as a kind of "advance payment" and that we constantly have to fight anew against sin, he still considers (unlike Luther, for instance) that Christians should keep themselves entirely free of sin and are fundamentally capable of doing so (cf. 1 Cor. 5).

The Christian hope of an eschatological fulfilment does not only mean that our true life has not yet appeared (1 John 3:2); it also prevents redemption and the new life from being able to become entirely severed from this visible world. For salvation to be complete, the suffering of this world must be eliminated. Hope shows that redemption - in Christ - does not simply leave this world, but that creation leads, beyond the Day of Judgment, to fulfilment. For this reason Christians are fundamentally called forth from the world, and yet must always remain turned towards it.

From this standpoint the following conclusions could be drawn:

The peace churches which try in direct imitation of Christ to set a sign against the world have essential statements in the New Testament in their favor. Their position cannot be decried as un-Christian. The Sermon on the Mount, for instance, is binding for all Christians.

Nonetheless the Lutheran church, together with many other churches, considers that however much Christians practice non-violence, they must nevertheless attend to secular duties, in particular for their fellow human beings, to the extent of exercising power and, where necessary, force as well.

Christians have the duty to advocate and strive to see that all people are granted at least their elementary human rights. They particularly condemn the deprival of a country's population (or its racial majority) of the right to self-determination. In such a case the use of physical force or even violence may prove to be the last resort. It is also explained that some people "find themselves already in situations of violence in which they cannot help but participate" (statement by the World Council of Churches on "Violence, Nonviolence and the Struggle for Social Justice," The Ecumenical Review, Vol. XXV, No. 4, p. 442, 28c). This statement can be interpreted in various ways. The essential factor is, however, what kind of power, force or violence one is subjected to, and what means one takes against it. (No further comment can be made here on the World Council of Churches study of 1973 which contains many valuable points.)

3. ON THE RESISTANCE BY CHRISTIANS IN SITUATIONS OF INJUSTICE AND CONFLICT

God's commandment to love one's neighbor, even one's enemy, means that Christians are always called upon to love justice and maintain peace with all people, insofar as this depends on them. It is therefore inconsistent with a life in Christ for them actively to support or tacitly to tolerate a known injustice. There are at least three different points of view currently held by Christians who advocate justice and wish to promote peace in situations of injustice, oppression and conflict:

- a) Some consider that to promote peace and advocate justice means above all that the church as a whole and each individual Christian should lead a way of life which is just in itself and engenders justice, without recourse to violence.
- b) Some consider that to promote peace and to advocate justice means above all to marshal a broad range of strategies of non-violent resistance in the struggle for justice.
- c) Some believe that it is necessary, in extreme circumstances, to practice violent resistance in order to overcome injustice and create the prerequisite conditions for a just and equitable order. It is not always possible to make an absolute and clear-cut distinction between these standpoints. There is probably, in reality, some overlapping of the first and second opinions which are traditionally upheld by the peace churches (a) and by non-violent resistance movements such as those of Mahatma Gandhi and Martin Luther King (b).

There is probably also some overlapping, at least in certain aspects, of the second and third standpoints.

The following criteria are intended as guidelines for the commitment of Christians who hold one of the three points of view:

a) Non-violent service of peace and justice

Non-violent service to one's neighbor originates in the vocation of the Christian communities to love their enemies as they love all people, to

serve them instead of dominating them, and to be a visible sign of equitable peace in the midst of the world. Jesus Christ took the way of the cross as an alternative to using violence against his enemies and for his friends. To testify to one's faith in Christ therefore also includes the readiness to suffer for the sake of justice, and repudiates the use of violence as a means of safeguarding, defending or imposing peace and justice.

Non-violent service to one's fellow human being in situations of conflict or injustice differs from the passive acceptance of wrongdoing and from violent resistance against injustice. Non-violent service in the cause of peace and justice, following Christ, includes:

1. The proclamation of peace and justice as a task of the Christian community and as a gift of God: Such proclamation draws attention to unjust personal, economic and social conditions, urging people to repent and work for justice and peace in words and in deeds. It refers in particular to unjust conditions prevailing among Christians, and to those in which Christians take passive and active part.
2. The re-organization of community life: In the midst of present-day social, economic and political conditions it is the vocation of the Christian community to be a manifest sign of the new creation in the strength of the Spirit. The unity and solidarity of Christians over and above their belonging to diverse social, economic and political groups, classes or nations must therefore take on visible form in the life of the Christian community. If the community of Christ itself reflects unjust or conflictual aspects of the social environment, tacitly accepts them, or even actively supports them, then the first thing to do is to change its own structures and its own way of living together.
3. Visible solidarity with the suffering and oppressed: In following Christ, Christians have a particular responsibility to identify with the suffering and the oppressed, to listen to them, to succor and share with them and to stand up for them in words and deeds. Christians are called upon to give priority to seeking practical means of loving their enemies and of exercising justice, insofar as this depends on them.
4. Publicizing the truth: Especially in situations of injustice and conflict the truth about unjust circumstances and conditions between opposing groups is concealed or crushed. Non-violent service to one's fellow human beings strives to bring the truth to light, to approach those in positions of responsibility (both friends and opponents) to bring the truth to their knowledge, and to make it accessible to the public, both in the church and in society.
5. Non-violent service in the cause of peace and justice can go as far as refusing to comply with unjust laws and regulations for the sake of greater justice. This applies not only in the realm of religion, but also in the political, social and economic sphere.

b) Non-violent action

Non-violent action issues from the belief that power is based not only on physical force, but also on conviction, a sense of what is just and right, information and consensus. Retaliatory violence is therefore not the only

answer to injustice and the misuse of power. The churches should assist people to think not only in terms of power and counter-power. Information about the history and strategies of non-violent resistance can help in this connection. When there are no non-violent resistance leaders outside the church (thus in exceptional situations), the church itself should carry out the training in methods of non-violent resistance.

The church should support non-violent resistance only in the following circumstances:

1. Sufficient reason exists in the event of persistent violation of human rights (cf. United Nations Universal Declaration of Human Rights, 1948), crass social and economic injustice such as the deprivation of basic medical care, the general lack of basic educational facilities or opportunities, poverty and distress owing to the inefficient distribution of land, etc.
2. As a final resort, after all other means prior to non-violent resistance (e.g. discussion, petitions, protests, compromise) have been tried and failed.
3. Aims of non-violent resistance:
 - a) to change part of a given situation, for example a concrete instance of injustice, or
 - b) to change the entire system. There are basic guidelines for this, as there are for the just and legitimate revolution: the new system must not only guarantee coexistence with the erstwhile enemies, but must also strive to bring about a fundamental reconciliation with them (cf. conceptual objectives, for instance, of Mahatma Gandhi and Martin Luther King).
4. Means of non-violent resistance:

Demonstrations, refusal to co-operate in political, economic and social spheres, civil disturbance with specific targets, etc.
5. The non-violent resistance movement must be led by a legitimate authority. Since the groups which advocate and practice non-violent resistance generally abide by laws different from those which govern violent resistance, particular importance must be attached to group discipline. Special consideration must also be given to developing communication skills.
6. There must be a high probability of achieving the desired results within a limited and foreseeable period of time.

c) Legitimate resistance and/or legitimate revolution

Christians who are prepared to show violent resistance in a situation of political oppression must be guided by criteria equivalent to those which have traditionally been considered as the criteria of just wars.

In such cases all the following criteria must be observed, if violent

resistance is to be legitimate:

1. There must first be a justified and evident reason for resistance: torture, arbitrary executions, the refusal of legal protection, the conquest of one nation by another.
2. All other possibilities of bringing about greater justice must previously have been tried without avail.
3. The resistance group must present a concrete proposal for an alternative system, such as a draft constitution or detailed description of the proposed system, which must contain the following elements:
 - > the guarantee that the former enemies and/or oppressors will be integrated in the new society and will enjoy full protection,
 - > protection and preservation of all minorities,
 - > the participation, by all concerned, in their country's political and more extensive economic decisions on every level,
 - > the provision of basic medical care and adequate basic educational facilities,
 - > due process of law must be guaranteed,
 - > likewise the protection of the fundamental human rights, at least those laid down in Article 4, paragraphs 1 and 2 of the International Covenant on Civil and Political Rights of 1966.
4. Terrorism, the taking of hostages, all forms of torture, the killing of prisoners and of non-combatants are repudiated and condemned as illegitimate forms of combat.
5. An alternative power which is capable of governing effectively and in conformity with these criteria, and which is recognized by the majority of those for whom it is striving to gain governmental power, must exist.
6. There must be a high probability of achieving the desired results within a foreseeable and limited period of time.

RECOMMENDATIONS FOR FURTHER STUDY

1. The doctrinal conflict between Lutherans and the peace churches should be further clarified by study of the New Testament. It would be desirable for findings of regional consultations on the same subject to be taken into account in this study.
2. The diverse concepts of the state should be assessed according to biblical theology and Christian social ethics.
3. The conditions and prospects of non-violent strategies should be further examined by means of historical case studies.

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Translated from the German by
LWF Department of Studies.

MINIMIZING VIOLENCE AND INJUSTICE

An Impact of Reason and Christian Tradition

Martin Honecker

I.

There is still a considerable amount of confusion in discussion of the ethics of violence. There are many reasons for this that will have to be considered, not the least of this that the German word for violence (Gewalt) has other connotations. It was originally equivalent to potestas in Latin, and there were still overtones of this in Luther's distinction between the spiritual and the temporal "power" in the so-called "Two Kingdoms Doctrine." However, Gewalt had gradually been replaced by Macht (power), while itself being translated into Latin as vis or violencia. "Rule" (or "regiment"), i.e. political power, was exercised in the temporal realm through the use of force, symbolized by the sword according to Grotius, vis was legitimate provided it did not injure the right of others. Hence the question of force or violence is closely bound up with the concepts of power (or authority), rule (or government) and law, so that the question now reads: "Who is entitled in what circumstances to use what means of force against whom?" In other words, the issue is the justification for the use of force or violence. Now this question cannot be considered in isolation from ethical criteria or without reference to the political order. While force upholds the law, the latter must not be seen simply as a set of rules for communal living involving no question of values. The law itself needs a moral foundation, and force cannot take the place of this. In recent years there has been renewed debate on the justification for violence. There were various reasons for this. Experience of total warfare and the threat of atomic annihilation had made it uncertain whether the use of armed force could still be morally justified even as a last resort. This undermined the doctrine of a just war. The First Plenary Session of the World Council of Churches in Amsterdam in 1948 held that "war is contrary to the will of God." While wars between states can no longer be claimed to be "just" wars, what is the position regarding civil wars? Is there such a thing as a just revolution? This leads us back to the traditional question of the right to resist, i.e. whether it is permissible to remove a dictator by force. Pre-Christian antiquity and the Christian Middle Ages discussed this under the heading of tyrannicide. Today the question is associated with the Marxist theory of revolution. Finally political terrorism by extremist groups in democratic and non-democratic societies will have to be considered.

All these developments have given the debate on violence a new dimension. There are also new theories of justification for revolutionary violence in the revolutionary doctrines influenced by Marxism. In this connection it should be noted that, while Christian ethics on the whole has abandoned the doctrine of a just war, Marxist theory has not done so since it holds that a defensive war against an (imperialist) aggressor and wars of liberation

are "just" wars. It bases this on the thesis of the legitimacy of revolutionary violence in advanced capitalist-imperialist societies which it regards as systems of oppression. We cannot of course take it for granted that this is strictly speaking only a continuation of the traditional doctrine of the right to resistance. True, there are references to classical theory. However, in contrast to the latter which permits the removal of a regime that is regarded as unlawful, the new theory expands the problem area in a way that is made clear by two frequently used distinctions. The first is between acts of violence classified as "progressive" and those classified as "repressive," the forms being acts by the oppressed against an oppressor. Thus, violence in the context of liberation praxis is morally justified. Herbert Marcuse therefore makes a distinction, based on "historic function," between revolutionary and reactionary violence and between violence by the oppressed and violence used by oppressors. He cites Robespierre's contrast between libertarian and despotic terrorism. The distinction cannot be equated with that between democracy and dictatorship. Progressive violence is justified by the anticipated "historical progress" (which in today's terms is the prospective reduction of cruelty, want and oppression). Progressive violence liberates and emancipates, and that is its justification. It is therefore not limited to occasions when there is a revolutionary situation; it may also be used to create such a situation - for example to bring about a change of consciousness in the society by the use of terror. Another purpose of progressive violence is to provoke the authorities to reveal their violence; in this case, failure can unmask the authorities just as well as success for their resistance to attacks reveals them as oppressors.

Then there is the second main distinction. By being seen in action, progressive violence unmasks latent (or institutional) violence, i.e. violence is openly used but kept in the background. We shall return to the distinction between overt and latent violence later. It clearly derives its significance from the distinction between progressive and repressive violence which itself poses the question whether it is not a regression from the modern constitutional state and democratic progress, since rule-of-law and democratic principles are designed to enable political and social conflicts to be settled without violence.

Even among social change and control theorists influenced by Marxism, the question of use of violence is felt to be a problem. An attempt is made to solve the problem particularly by means of a distinction between violence against persons and against property. Direct violence against persons is rejected but is permissible against property. This distinction is unsound since, apart from the fact that violence against property may involuntarily wound and kill persons, violence against property is by its nature intimidatory and facilitates blackmail. This difference is one of degree: violence always affects persons, even if only by intimidating, blackmailing or terrifying them, arousing aggression and destroying communication.

The change that has taken place in modern understanding of violence can perhaps be made clear by a reference to the past. Kant says: "Macht ist ein Vermögen, welches grossen Hindernissen überlegen ist. Eben dieselbe heisst eine Gewalt, wenn sie auch dem Widerstande dessen, was selbst Macht besitzt, überlegen ist." (Power is a potential which is superior to large obstacles. This very power is called force if it is even superior to the resistance of something powerful.) (Transl. by the ed.) In this definition force is simply the comparative form of power, i.e.: power is strong enough to overcome powerful resistance. The essential characteristic is the poten-

tial to achieve the desired goal.

Force, according to Kant, must also be seen in relation to freedom and statute. Only where freedom and statute are the two things on which the civil law "hangs" is it possible to have a legal situation in which right can be enforced while force is controlled by reason. Men's understanding of the recommendations of the legal situation ensures that right will win over individual wilfulness (i.e. "right" demonstrates its "force").

Hegel then made a connection between force and possession: force is the act of taking possession of a thing. The state's function is to create an order which guarantees the legality of property and possession. The law should "cancel" what is originally force in the idea of organized freedom.

Here Marx objects that "force" is economic in origin: "Property is another form of force." Force rules when possession is unevenly distributed in a class society, and the owners of the means of production to the workers (proletariat) are divided into two camps. For Marx, force would only come to an end in a classless society. This was because ownership of the means of production can only be maintained and guaranteed with the help of reactionary force. The moral justification for revolutionary force, as the proletariat's counterpart, lies in this fact, and is rooted in the objective conditions of the class society. It is these conditions that justify the use of force in the class struggle.

Subsequent Marxist and non-Marxist interpretations of violence have always had to expound Marx's view of the problem. Even more strongly than Marx, Lenin emphasized that the class struggle could not be won without coercion. Hence, his unconditional approval for the use of force by the working class. The polarity of revolutionary and reactionary force and violence goes back to Lenin. The victory of the proletarian revolution would mark the end of violence by ending political power. This theory has had many critics.

Georges Sorel regarded violence as an aspect of life. He said that the problem of violence had so far remained obscure even for the most knowledgeable socialists. Violence was an elemental primary phenomenon, and he describes it as a myth or "a construction of a future whose course is indeterminate." Among the ancients the violence was that of individual forces. In the industrial age it had passed to the masses. An illustration was the general strike which represented "a manifestation of war." He added: "Today I do not hesitate to say that socialism cannot exist without an apologia for violence." No new order could arise without violence and its glorification in the myth. Only violence could bring liberation from the established order with its authority and its obedience. He expressly rejected the idea of peaceful settlement of conflicts and spoke of "creative hate." He warned: "If the ruling classes cease to have the courage to govern and are ashamed of the privileges of their position, if they are anxious to show willingness to compromise with their enemies and speak of their horror of any deep division in society, then it will be more difficult to keep alive among the proletariat the notion of the split without which socialism would be unable to fulfil its role in history." Sorel's conception of violence cannot be analyzed in detail, except to describe his differentiation between proletarian violence and terror used without restraint against the defeated. Sorel looked for a type of violence where the heroic ethos spares the defeated. However, his myth of violence influenced both Leninism and Mussolini's facism. Contemporary theory mainly sees violence as a histori-

cal force. Max Weber - in his thesis that the state is defined by its monopoly of physical force - and subsequently Marcuse were both fascinated by the combination of violence.

On the other hand, Hannah Arendt reasserts the distinction between power and force, and uses it in her critique of modern apologists of violence. The former is dependent on its acceptance by a majority; the latter is instrumental. Power increases in proportion to the number who support it. Force depends only on the strength of its agents. Hence, the issue between revolutionary and established force is which of them is supported by the mass of the people. In other words, the alternative to tyrannical rule is constitutional democracy. While every social order needs power, violence is merely a means. In principle power does not need justification, although historically the claim to power has to be constantly reconfirmed. Violence can never be legitimate, though in certain circumstances goals for which specific means are used may provide a justification for it. Marxian interpretations of violence argue that it is legitimated by a revolutionary transformation of the society. Hannah Arendt denies that this can ever be the case: when revolutionary violence changes things, the only result is "that the world has become more violent than before."

As these brief references show, ethical justification for violence is highly controversial. Explanations of violence based on psychoanalytical or behavioristic theories of aggression or social conflict may disclose causes of violence and make it comprehensible, but they cannot provide ethical justification for it. Causes of violence exist in plenty. When J. Galtung (for example) says: "Wherever people are under such pressure that their actual somatic and mental achievement is below their potential achievement," his definition would make every social grievance a justification for violence. However deeply rooted violence may be in society, it makes no sense to treat social conditions globally as violence. Hence the concept of "structural violence" is misleading. The limits of the word "violence" must be defined if any ethical judgment is to be reached.

II.

Ethical and theological judgments on force and violence have always depended on analysis of the concept. A study by the Evangelical Church in Germany is perhaps a good example of this approach to judgments. In 1973 the Church's Commission for Public Responsibility published a series of theses on violence and the use of force in society (Gewalt und Gewaltanwendung in der Gesellschaft). These were to some extent prompted by the controversy (particularly in the Evangelical Church) on church support for liberation movements using violence which arose as a result of the WCC Program to Combat Racism. The controversy was not over racism, which all considered incompatible with Christian faith but over the means that may be used to combat racism and hence the movements which the church can support. It became clear in discussion in the German Protestant community that other controversial issues arising out of European history were directly relevant. Experience of totalitarianism under the National Socialists had made the long-forgotten right of resistance a live issue once more. The debate after 1945 on the question of rearmament had brought topics such as conscientious objection, pacifism, non-violence and renunciation of atomic weapons very much into the picture. A set of theses on Christian service for peace (Der

Friedensdienst der Christen) issued in 1969 had rejected the doctrine of a just war. After that, was it possible to justify violence by using a doctrine of the just revolution? These were also questions relating to the state's monopoly of force and what kind of social order respecting human dignity could there be which ultimately would not be based on force. And lastly, the theses had at that time to bear in mind that, following the student protest movement in the preceding year, a radical though very small group (the "Bader-Meinhof" group calling itself the Rote-Armee-Fraktion) rejected the political order outright and sought to overturn it by terrorist attacks. The use of force could affect both "external" peace (wars between nations) and "internal" peace (violent internal conflicts or civil war). The whole subject was so complex that the theses could not do more than present a few basic pointers. It did not attempt to draft a definition of "Gewalt" in the broadest sense, but used the term to mean the use of physical force by individuals and social groups against each other or against the state, i.e. armed or brute force. The fact that authority and power may be exercised without recourse to the direct employment of physical force and that the threat of it may be enough was not overlooked. The mere risk that means held in readiness may be used can restrict liberty.

If one follows the line of thought in each successive thesis, the influence of the historical and social context is very apparent. Thesis I refers to this: "The problem of violence cannot be rationally discussed without considering the different political and social circumstances in which force is required or actually used." This is because the fewer openings there are for peaceful change in a social system (the fewer the possibilities of lawful change through democratic and constitutional procedures) the greater will be the inclination to use force and the plausibility of such action. There is an "essential connection" between the social structure and political order on the one hand and the attitude to violence on the other. Hence the importance of the situation analysis of social and political factors. The particular circumstances and context to which an ethical statement relates must not be disregarded. For this reason the theses do not consider the use of violence to be permissible in the Federal Republic of Germany because of the alternative opportunities for exercising social and political influence. This does not mean, however, that the position would necessarily be the same in other countries.

After stressing the need for analysis of specific situations, the series of course attempts to provide some general rules for judging violence. It starts from a widely recognized principle that has also been formulated in juridical terms, i.e. the right to self-defence and the right to help another in need: "In Christian individual ethics it is generally accepted that, in the event of a direct, violent and unlawful attack on the person, the attacked person has a right to self-defence and a third party has a right to give help in need" (Thesis 2). It must be pointed out here that this tradition is rejected by those believing in absolute non-violence. If, however, it is accepted as in the main churches, and especially if it is taught (as by Martin Luther) that Christians may carry the sword and call for help when serving another person - but not for their own benefit - this represents a decision of principle that allows (but does not require) Christians to defend themselves or help each other in need.

From this principle in individual ethics, Thesis 3 infers that the position in social ethics is not different in principle. Of course the factual situation is more complex, since we are not talking about defence against a direct violent attack on an individual but of the use or threat of force

coming from within the societal framework and directed at a large number of persons. The force may be exercised by the military but also by the police. It may be exerted by using economic coercion. It can involve a deprivation of information or educational facilities. In short, the structure of a social system as a whole may be the cause of a lack of liberty, security and legality. Here we encounter the concept of "institutionalized" or "structural" force or violence. The concept is admittedly highly ambiguous. In the first place it could mean that any political order and any safeguards for political authority are ethically questionable. The alternative to institutionalized force would then be anarchy. Christian ethics, however, has never rejected in principle the use of force by the state (cf. Romans 13, Matthew 22:17 ff.) and has in fact required Christians to comply with lawful authority. In the second place, however, state force can also be used to uphold a social system in which there is oppression, lack of liberty, and injustice. "Structural force" in an unjust system is unacceptable and must be rejected, resisted and overcome, as "structural evil." But how is legitimate structural force to be distinguished from illegitimate force? This is the real difficulty in the series of theses: "The problem here is that the existing institutions do not exclusively create injustice." In their way they continue to provide justice. The combination of injustice and justice in a social and political system makes the problem of a Christian's political responsibility more difficult. "That is why the best-known representatives of Christian political thinking have without exception concluded that the disconcerting thing about the state is that it embodies both Sin and Providence at the same time."

If the right to self-defence is extended to social ethics as it must be, a further difficulty arises: "A situation of lasting oppression is less easy to identify and less obvious than that of a direct attack on a person. There are usually several reasons for this. The sufferers may also be ill-informed and with little education so that they are often poor judges of the chances of changing things and do not adequately foresee the consequences of their own use of force. Lastly, violent confrontations affect many more people, including non-participants such as women and children" (Thesis 4). The difficulties are mentioned mainly to draw attention to the unforeseeable consequences of the use of force for many innocent people and to the risks and uncertainties in assessing situations. Mere personal feelings of shock or dismay are not a justification for social self-defence. There are also the real dangers and difficulties to be considered. Nevertheless, in the last resort and in spite of these qualifications, use of force may be necessary. This does not preclude recourse to the state's monopoly of force (Thesis 5). The purpose of this monopoly is to control violence between citizens and to prevent people from taking the law into their own hands, i.e. keeping the peace. This peace-keeping function is something that must be kept in mind also in Christian ethics: "If there are sufficient guarantees in a country that changes which the relevant groups in the population feel necessary will have a reasonable chance of being implicated and that human rights will not in general be infringed, then a monopoly of force is acceptable in the interests of internal peace, for this is the only way of preventing social groups from taking the law into their own hands" (Thesis 5). This does not imply, however, that the state's monopoly of force need be complete or that the risk of its being misused in totalitarian countries against its proper purpose can be disregarded. What is in mind is the monopoly of force of a country that upholds law and justice as set out in the fifth thesis of the Barmen Declaration. The alternative to the despotic state is the constitutional state that respects human rights.

This statement on the role of the state is followed by a reference to the Christian ethical tradition, i.e. the right to resist wrongful use of state power (Thesis 6). There is no doubt that a Christian must resist in the event of a violation of basic rights of the person (Acts 5:29), though there may be dispute about the way in which he or she should resist. The first stage is simply to refuse to obey. After this, the forms range from passive resistance and the use of non-violent methods to the right in the last resort to use violent resistance. Refusal to obey and suffering in silence were also taught by Luther. The only thing he doubted was that a subject was entitled to put up violent resistance to authority. This question must be reconsidered today when a change has occurred in the conception of the state from the authoritarian to the constitutional state. Its formulation has been made more important by the principles of the rule of law and human rights on the one hand, and the possibilities of ideological coercion and suppression of conscience and beliefs on the other. Thus, the right to resist and the recognition of human rights are closely related. "In law it is generally a condition for the exercise of the right to resist that there have been serious and continuing violations of human rights by the state" (Thesis 7). Hence only serious violations of the right of the person pass the test for the right to resist. There is sometimes dispute regarding the core elements of human rights. In so far as a state respects life and integrity, dignity and liberty of the person, there should be no cause for claiming the right to resist. How far (material) equality for all and social justice - which are undoubtedly basic from the ethical point of view - are enforceable human rights is still undecided and controversial in the debate. It will certainly not be possible therefore to regard every social malaise and every infringement of social rights as a ground for resistance.

Thesis 8 comes down strongly on the side of non-violent solutions of social and political conflicts. It therefore supports action of the non-violent resistance type. This of course raises the question whether non-violence is not something that is only effective in certain social and political assumptions. A strategy that rules out violence altogether presupposes reasonable confidence in the flexibility of the opponent and reasonable re-examination of one's own ideas. When faced with unscrupulous supporters of violence, this plan can only be of limited application. Moreover, non-violent resistance makes heavy demands on the self-discipline and forbearance of the resisters.

The series of theses concludes on the basis of the foregoing considerations that, subject to certain clearly defined criteria that exclude abuse of the power of the state, the use of violence in resistance may be morally permissible. "The dangers of employing violence must (however) also be taken seriously when discussing the social ethics of such action. In the present state of weapon technology, the effect of violence is frequently uncontrollable. It calls for, and in turn easily produces, a psychological disposition towards glorification of acts of violence and of terrorism for its own sake, and simultaneously gives free reign to emotions such as hatred and revenge. Acts of violence frequently provoke violence by the other side, whose brutality is usually greater where there is less respect for basic human rights. The atmosphere of blind emotions, insecurity and dread - that in many political systems emanates also of course from the ruling ones - further increases the danger that those exposed to it will approve new and equally unjust political solutions, simply in order to put an end to the continuing fear and insecurity" (Thesis 9). Here the risks of using violence are described without disguise, namely violence for its own sake, the scope for hatred and revenge, the limits to rational control of violence

and the brutalization of the participants. Then there are the victims of violence, both those who happen to be in the battle area and also all those who suffer from the destruction of a country's infrastructure. For all these reasons recourse to violence can only be a last resort "when all other ways of improving conditions have failed or are completely hopeless" (Thesis 10). And to this a further condition is added. There must be a realizable plan for a new, workable order to take the place of the old. The new order must be in conformity with human rights and allow the former oppressors a right to live. Any recourse to violence for its own sake is ruled out. The violence must have a goal that is realizable in the short term. In this case, it may in exceptional circumstances be unavoidable: "The use of violence must have prospects of success in achieving a clearly defined goal in order to eliminate an existing violent repression within a foreseeable time" (Thesis 10).

Thus, we now have a number of verifiable conditions for an ethical judgment of the use of violence. They presuppose an assessment of the situation, consideration of alternatives, and an assessment as to whether the conditions and goals make violent action necessary and unavoidable. The moment for a theological interpretation comes after these reflections have been completed. The interpretation has to bring together two aspects of the ethical assessment.

1. Christians are not themselves called upon to use violence, but they may have to consider their attitude to violence because it is actually occurring. Such situations force them to take up a position since they themselves are involved in them. In such circumstances, it is not a question of approving or justifying violence but of recognizing that they are involved in the guilt of others (Thesis 11). The use of violence is a sign of sin. This rules out any glorification of violence. The myth of violence must be exposed. Suffering or forbearance is a more convincing witness than the use of violence. However, out of solidarity with those oppressed and repressed by violent actions, a Christian may well be in a position where he or she is touched by the violence or even has to participate in it. He or she regards this as involvement in the guilt of a world living under the power of sin, and at the same time a challenge to bear witness to faith in God's power against the power of sin.

2. From the realization of involvement in guilt that may lead to violence, it follows that the commandment to love one's neighbor and to be reconciled with one's enemy still applies in cases of violence (Thesis 12). The offer of reconciliation through God applies equally to the righteous and unrighteous (Matthew 5:45) and similarly to oppressors and oppressed. In the fight against injustice and oppression, violence may be unavoidable. This does not, however, allow the Christian to rule out the possibility of change in the opponent (in Christian terms, the possibility of conversion and repentance) or to propagate or support the principle of non-reconciliation and hatred towards the opponent. Readiness to discuss and negotiate is in such cases a sign of confidence in the offer made by God whose love and reconciliation is directed to all human beings. Christians must not therefore dissociate judgment of violence from the gospel message which they must first listen to themselves and then bear witness to in life, speech and conduct.

III.

1. In its approach and to a considerable extent also in its results, the WCC study Violence, Non-Violence and the Struggle for Social Justice (1973) reaches the same conclusions. Its main concern is that the overall question of violence should not be separated from the context of the struggle for social justice. What it considers most important of all therefore is an act of penance for the fact that churches and Christians "have so seldom been on the side of the poor and oppressed." The trend towards violence among the poor and oppressed is a sign of an unjust order. Christians must not therefore confuse non-violence with passiveness. It points out and insists on the fact that "in the confrontation with injustice, non-violence must not be equated with mere passiveness and lack of commitment." Violence is not an abstract problem for Christians. Christians in many regions of the world often find themselves in situations where there is open use of violence. As regards the basic attitudes of Christians towards violence, there was no unanimous view in the WCC discussion. The study mentions three sharply differing viewpoints. Some Christians are convinced that only non-violent forms of action are compatible with faith in Jesus Christ and obedience to the gospel. Other Christians accept violent resistance in an extreme case, and are looking for criteria for the use of force as a last resort. This view is in line with the tradition of the bellum iustum doctrine but does not maintain that the concept of a just war can be applied in the present state of armaments technology. It is also in line with the basic message of the German Evangelical Church's series of theses entitled Gewalt und Gewaltanwendung in der Gesellschaft. A third position - though this is not fully spelled out - accepts the use of force in the struggle for justice. This is the thesis of a "liberating" violence based on a posited distinction between oppressive (or repressive) violence and liberating (or progressive) violence. All three viewpoints agree that (a) not every form of violence is acceptable; (b) Christians must leave no doubt as to their preference for non-violence and give priority to such action; (c) even non-violent action is highly political and does not allow of any coming to terms with an unjust state of affairs. I must admit that the implications of the third position which calls for a theory of the rebellio iusta do not seem to me to have been sufficiently explored and thought out.

This leaves the gap between non-violence as a matter of principle and the use of violence in an extreme case. In the face of this insurmountable aporia, the study confronts each viewpoint in turn with questions from the other side. This approach of "reciprocal challenge and assistance" is a sensible one. As a result, two sides of the question are considered at two different levels. At the first level the confrontation is between those willing to use violence against the established order and those upholding non-violence as a matter of principle. The former have to be warned of the consequences and hazards of the use of violence. The latter must face the question as to whether their non-violent activities can be successful against deep-rooted violence in the structures of society. Moreover, insistence on non-violence as an absolute principle could be misunderstood as implying that means must be given precedence over goals - in this case a juster and more humane society. At a second level, the confrontation is between those wishing to destroy an existing power structure and those wishing to preserve the institutions of an existing society. While the two levels certainly overlap, they are not identical. The inter-relatedness of the question of violence and the problem of power is of course apparent from the linking of the two levels. Criticism of the power structure and support

for violence are of course connected, but one does not necessarily imply the other. The study is of course right in its perception that the main question is not one of deciding for or against non-violent methods - though the difference of opinion among Christians is admittedly a difficulty. A greater problem is the kind of passiveness that is uncommitted to the achievement of justice and peace, whether by non-violent or by violent methods. The debate on violence must not therefore be used as an alibi for avoiding any concrete socio-political commitment to social justice as against oppression and absence of freedom.

2. In the Federal Republic of Germany the differences within Protestant theology relate less to judgments on violence than to assessments of social conditions, which vary greatly. An example worth mentioning briefly is Helmut Gollwitzer's paper for the discussion on violence. He describes non-violence as "the negative side of the love commandment 'of the law for life in the Kingdom of Christ'" (Joachim Jeremias). In his view, there is no question that non-violence is demanded of Christians. The only question is whether Christians can keep to this principle if they have to assume political responsibility, and office. St. Augustine and later the Reformer's Two Kingdoms Doctrine allowed that a Christian holding executive office in the political field is entitled in an extreme case to have recourse to violent means. Gollwitzer does not question this, but he doubts the legitimacy of the governmental authority using force. In his view violence by the state is an expression of a class violence: "Each state is the organization of a given society and helps the ruling strata to monopolize force in their own interest." His assumptions that, in a class society (or society of privileges) force is exercised on behalf of interests, that every legitima potestas is a class-potestas enables him to recognize revolutionary violence. This shifts the discussion of the use of force over to the question whether state power is merely the power of the ruling interests in a class society or whether, independently of class interests, the function of a constitutional state is not to restrain political power and counteract its misuse. Here again, the fact that - as mentioned earlier - the notion of "institutionalized" or "structural" force can be taken in two different senses is the real point of difference.

IV.

1. To a large extent there is an ecumenical consensus regarding the use of violence. It is an evil. Hence any glorification of violence is incompatible with the Christian faith. A canonization of war and revolution is impossible for a Christian. Any idea of sanctioning violence is ruled out by the commandment to love one's enemies, by the universality of the offer of reconciliation in the gospel message, and by the call for Christians to suffer evil sooner than to do evil. For the Christian faith a "holy war" has ceased to be conceivable. (In this respect there is a vital difference between the Old and the New Testaments.) Pride of place is definitely given to non-violence, the renunciation of violence. Nevertheless, in a situation where law and peace have completely disappeared, the ethical tradition of the main churches gives Christians in the last resort a right to resist, if necessary by using violent means. Pope Paul VI referred to this in 1967 in the encyclical Populorum Progressio in relation to situations where the injustice cries to heaven (No. 30). He noted that revolutionary insurrection (seditio et motus) always creates further injustice, fresh disequilibria

and further disorganization. However, he adds the important proviso: "...save where there is manifest long-standing tyranny (*nisi agatur de tyrannide aperta et diuturna*) which would do great damage to fundamental personal rights and dangerous harm to the common good of the country" (No. 31). This plainly permits the use of violence only in order to avoid still greater evils - and not, for example, in pursuit of the utopia of a classless and stateless society. It is a restatement of the ancient theme of resistance to tyrannical misuse of state power for cases where there is a need to establish or re-establish a humane order committed to the welfare of all citizens. In these cases violent action may be morally acceptable. The theses of the Evangelical Church in Germany are in line with the Pope's teaching on this point. The problem posed by situations of glaring injustice cannot, moreover, be got rid of by recourse to a "doctrine of national security" - as was emphasized by the Latin American bishops at Puebla. Here also the option is not between renunciation of violence and violent revolution. The way out is through radical change in the society by peaceful means while the state refrains from military action that would delay the change.

2. A propensity to violence is of course a human characteristic, also known as "aggression." The different theories of aggression will not be discussed here. There is disagreement as to its causation, one theory (held by behaviorists) explaining it by the natural instinctive make-up of the human being, while another (held mainly by social scientists) sees it as the result of inhumane conditions. Without entering the controversy - which one might well feel out of place in face of the brutal realities of violence - we have still the problem of dealing with aggression whether it is part of human nature or due to social conditions.

Violence, as we know, solves no problem. As Friedrich Hacker says in *Thesen zur Gewalt*: "Violence is the problem to which it claims to offer the solution. Problems that can only be solved by violence need to be restated." Violence is infectious. Its "virulence" is due to its apparent justification. It is engendered and escalates through being legitimated and sanctioned: "Justifiable violence leads to imitation both as regards the reasons given for it and the violence itself." Legitimation of violence is thus the main problem: it acquires the status of a right. Moreover, "violence is simple and its alternatives are complicated." The simplification, i.e. the belief that all problems can be solved by it, is its attractiveness, particularly for the young. The alternative to violence is reason, provided of course that this is not used to assist and excuse violence. While as we know counter-violence never gets rid of violence, the opposite applies: "Exceptions to the ban on violence become rules of non-violence." The only way of persuading others to renounce violence is by consistently practicing non-violence oneself. It is both cruel and a serious error to listen to the voice of violence: "The voice of violence is not a language; it is only understood by mental robots and emotional illiterates. One can learn from violence without imitating it or yielding to it."

Hacker's warning is confirmed by Hannah Arendt. Violence is essentially instrumental; it cannot legitimate power which depends on recognition. The essential difference is that "power always depends on numbers while violence is to some extent independent of numbers and relies on tools." The use of this tool always requires an excuse, whereas authority (power) requires no excuse since it is (ontologically) a characteristic of all human communities. What the latter needs is legitimacy. If it loses this, a vacuum may be created, which may be filled by violence. To this extent there is

an (adverse) relationship between the two: "Violence makes its appearance when authority is threatened; if it is allowed to follow its own logic, its final aim and end is the disappearance of authority. Hence it cannot strictly be said that non-violence is the opposite of violence. To speak of 'non-violent power or authority' is pleonastic. Violence can destroy power but is utterly incapable of creating power." The elimination of authority opens the door to violence, so that the alternative to violence is not an absence of authority but authority that is recognized as legitimate - which means "just" or righteous power. Where power of this kind is lacking, Hannah Arendt believes that the use of violence may be rational: "The nature of violence is to be instrumental; it is rational where it genuinely helps to achieve the goal which must justify it." Naturally, violence can only be rational in so far as it pursues short-term attainable and realizable aims; hence the time factor is a major factor in the ethical judgment of violence. Protracted use of violence, such as a reign of terror, is indefensible. It is true that there may be situations of injustice and absence of authority where violence can change the position, but even so the use of violence is an evil tolerable only because and for as long as it is capable of eliminating or preventing a greater evil.

3. With these basic considerations on the relation between power and violence as a background, it is also possible to form an opinion regarding terrorism, i.e. the systematic use of violence to achieve political, military or social goals. Terror was first used to maintain a regime in the French Revolution. This was the Jacobin Reign of Terror, designed to intimidate the whole population for political purposes. It represents the violent form of a struggle for power. Terrorism implies that every means without exception is permissible for achieving a given political goal. It may be used by a government to suppress an opposing group or resistance movement or by revolutionaries against supporters of the government or to intimidate the population. Terror is also a regular feature of modern warfare (e.g. the shooting of hostages, deportation, forced labor). Revolutionaries have sometimes used terror on an extensive scale to create a revolutionary situation which then makes the overthrow of the government appear justified. With the development of modern means of mass destruction the use of terrorism in guerilla warfare has increased. At the same time random, anonymous terrorist operations have become increasingly frequent with the aim of intimidating the population or provoking the government to counterterrorism and so undermining confidence in the existing order. Assassinations, sabotage, kidnapping and hijacking by political groups have become common. In Latin America (Tupamaros, Monteneros in Argentina), the Palestinians in the Near East conflict, the IRA in Northern Ireland, the ETA in Spain (since 1967/68) and since 1970 Western Europe terrorist operations have become a commonplace. In the Federal Republic the Bader-Meinhof organization attempted to overthrow the democratic parliamentary system. Moreover, democratic countries have difficulty in combating terrorism effectively because they can only use lawful constitutional methods. On the other hand, authoritarian regimes and dictatorships have recourse to counterterrorism (e.g. torture and exemplary death sentences). While counterterrorism may be more effective in the short term, it increases the risk of violence becoming a habit and of prolonged political instability as a result.

The wide variety of terrorist movements and methods needs no description here as they have been plentifully reported. Moreover, the causes of terrorism are extremely varied. A utopian program that rejects all practical compromise and is directed to unconditional political goals may be the

theoretical justification given. The sensitiveness of the infrastructure of industrial societies increases their vulnerability to terrorism. The openness of such societies is also favorable to terrorist acts, whereas terrorism as a systematic means of political action is out of the question in totalitarian countries. In open societies, moreover, terrorism can count on wide publicity ("the propaganda of the deed"). No attempt will be made here to analyze the background and strategies of terrorism since the manifestations and conditions in different countries vary so widely. It would be wrong, however, for an ethical assessment of violence to disregard the phenomenon of terrorism. A "plea for useful violence" underestimates the inhumanity inherent in terrorism and to which any support for the use of violence adds encouragement.

In the Federal Republic of Germany the debate on the ethics of violence has always had to consider terrorism as well. A statement issued by the council of the Evangelical Church on September 16, 1977, following the kidnapping of an industrialist and the capture of a Lufthansa aircraft, comes down firmly on the side of law and order and condemns murder and blackmail and consequently terrorism. There are no circumstances or any kind of long-term goals that can justify terrorist acts. A government must stand up to terror. "Only a strong state can be a liberal state. But the state is strong primarily because of the common convictions and values of its citizens." Recognition of human rights and the dignity of human beings is the foundation of social order, the citizens and the authorities are equally bound by these. While terrorism has to be combated by police methods, it cannot be defeated by police and military action alone. It must be defeated by support for law, peace and freedom. Violence and terrorism must be studied as possible indications of neglected or undesirable developments, but nothing can make them legitimate.

In a statement on the causes of terrorism and the requirements for dealing with it, the Catholic German Bishops' Conference in 1978 expressed views similar to those of the Evangelical Church.

4. The mental attitude behind terrorism is often one of total rejection of the institutions of law and an outright denial of all authority as evil in themselves. Hence, any consideration of the ethics of violence leads to the problem of authority and alienation of individuals in their experience of authority. For Christians, Jesus' "non-violent revolution" (Hans Küng) of course provides the basic orientation. The question in debate is whether this can determine what political action is appropriate in every case. On this point consensus is incomplete. While one school of thought deduces a principle of non-violence from the gospel, another holds that it is a matter of rational judgment and, in extreme cases, of weighing the risks and consequences of rejecting the use of force against those of using violence. The former is known as the Lordship of Christ and the second is usually described as the "Two Kingdoms Doctrine." The unconditional commitment of the former to non-violence stressed the unconditionality of faith without regard to the possible consequences (in moral theology terms it is odontological and not teleological). The Reformers' distinction between the supreme authority of the Word of God and faith on the one hand, and political authority on the other, allows the possibility of exercising political judgment and evaluating consequences (a teleological line of argument). Neither of the two positions can be made absolute. They are interdependent: both the unconditionality of the refusal to compromise with secular force and the realism of striking a balance between good and evil. Each basic model therefore needs correction by the other. The "tension" between them

leads to a state of affairs which in peace ethics is described as the "complementarity" between the renunciation of armaments and the maintenance of peace by the force of arms, and which is the hallmark of a world under the power of sin to which nevertheless the power of reconciliation has been given. The existence of violence and the Christian duty of non-violence are an expression of this reality and at the same time a disclosure of reality through faith.

The whole aim of interpreting reality through faith is the reduction and renunciation of violence. However, abandonment of violence is not the same thing as abandonment of power and authority. The phenomenon of power is ambiguous in the sense that power is needed to prevent abuse of power. In the last resort the use of force is unavoidable against power that is being misused. The power of the state can certainly not be defined simply as "a mechanism of class rule." Hence the unremitting task of determining the power-authority-force relationship. There is a need to legitimate power both in terms of the rule of law and in terms of the benefits from political power for those subject to it. Power itself is "amorphous," i.e. without content until the concrete social conditions in which it functions have been specified. Accordingly, concrete statements about it can only be made after analyzing situations individually. The analysis would have to cover, for example, the ability of groups (élite, masses, different races, minorities) to create organizations, the distribution of economic power, the processes whereby power is recognized by those affected by its exercise, the legitimation of power in the sense of recognition of its authority. One can speak of "power" whenever a relationship of subordination and "superordination" is present. Christian views of the reality on earth have not rejected the existence of power though they see its ambiguities. However, it was Luther who testified once more to the belief that God invisibly sustains the world and safeguards the life of people through the rightful exercise of power and authority - a responsibility assigned to the temporal rulership ("secular mode of governance"). Accordingly, the noblest task of a theology indebted to Luther must today surely be to link power to law and to take a firm stand on recognition of the law and the human rights of all people in order to combat violence and limit its destructive effects.

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Translated from the German by
LWF Department of Studies.

A SUMMARY OF THE THINKING AND THE EXPERIENCE OF
CIVIL RIGHTS MOVEMENTS
FROM A NAMIBIAN PERSPECTIVE

Abisai Shejavali

The Department of Studies of the Lutheran World Federation asked me to write a paper which could "summarize the thinking and the experience of civil rights movements committed to the struggle for liberty and civil rights." I am happy that this invitation has been met. But this paper is more than a mere epitome. I took the liberty of choosing my own directions and methods of approach to this subject and to decide the extent of this paper. Martin Luther King Jr. and his Civil Rights Movement in the United States of America are the foci of this paper. In other words, this paper is especially about Martin Luther King Jr. struggling for voting rights and for changing the racist society of America. The Voting Right Act of 1965, which "revolutionized black access to the ballot throughout most of the Deep South," and which "changed forever the politics of those states and, indirectly, those of the entire nation" (1), was due to the very influential leadership and strong efforts of the Southern Christian Leadership Conference (SCLC). And we must not rule out the goodwill and efforts of President Johnson, his people in the Department of Justice and some members of Congress who all helped in the success, enactment and enforcement of the Voting Right Act of 1965. But the most effective role was played by Martin Luther King Jr. and his Movement's campaign at Selma, Alabama.

The Civil Rights Movement came into being either on May 17, 1954, or on December 1, 1955, the day on which Mrs. Rosa Park refused to move to the rear of a segregated bus (2). It was in 1955 that Martin Luther King Jr. was elected president of the Movement. The Movement was first called the Montgomery Improvement Association (MIA) and later became the Southern Leadership Conference. King stepped into the leadership of the Movement as a pioneer in the spirit of non-violence in the racist history of America and succeeded in shaking the foundation of white racist society and of segregated laws which prevailed in that vast "Christian" country.

Martin Luther King Jr.'s concept of non-violence was based on the work and activities of Mahatma Gandhi. Its development in the United States of America was especially King's. Mahatma Gandhian satyagraha is dealt with briefly in this paper. This paper regards violence as just when it is used by oppressed people as a last resort for creating a just society.

It is to be hoped that this paper will be vitalized and utilized, to some extent, by answering the following questions: How can the oppressed be liberated? Do oppressed people need to participate actively in liberation - to emancipate themselves - or do they need to wait for someone else, namely God, to liberate them?

While in history God is present and active in the liberation of oppressed,

degraded and exploited people, these people, as agents of God, should join in the struggle to liberate themselves. They are witnesses through whom the Lord speaks, moves and changes things and through whom he breaks down the barriers of the structures with which racial pride and greediness are infested.

Liberation movements and civil rights activists in different parts of the world seem to call the oppressed to liberate themselves from their oppressors. Revolution, a radical encounter with the structure of white racism, is indispensable. Black people should now tell white people to "get off their backs." If Whites do not, Blacks must be ready to throw them off. This means that the oppressed must resist oppression; they must reject the way they have submitted and yielded to exploitation. God is the first to whom we must be obedient and the freedom which he gave us must be respected. This means that Christians are not bound to unjust laws and laws which contradict human dignity. People, especially the oppressed, must take seriously the task of throwing off the laws and systems of oppressors. To disobey unjust systems is saying "yes" to God and to the humanity of oneself and of one's oppressor (James Cone). Restoration of humanity is the work not of the oppressors but of the exploited and oppressed. The oppressors never want to let the oppressed go. It is the oppressed people who must occupy themselves with self-liberation.

How can this be done? By what means can the oppressed liberate themselves? Is it possible that the oppressed could also work for the liberation of their enemies, the violent ones?

1. Martin Luther King Jr.: Love is the Key to the Solution of the Problem

Martin Luther King Jr. asked his black oppressed sisters and brothers to love their white enemies because they are children of God and because by loving them they might transform the enemy into a friend. Through love, the oppressed could redeem and liberate the oppressors from their evil ways. This becomes clear in the following words in which Martin Luther King Jr. answers his own question: Why should we love our enemies?

A...reason why we should love our enemies is that love is the only force capable of transforming an enemy into a friend. We never get rid of an enemy by meeting hate with hate; we get rid of any enemy by getting rid of enmity. By its very nature, hate destroys and tears down; by its very nature, love creates and builds up. Love transforms with redemptive power (3).

...An even more basic reason why we are commanded to love is expressed explicitly in Jesus' words "love your enemies...that ye may be children of your Father which is in heaven." We are called to this difficult task in order to realize a unique relationship with God. We are potential sons of God. Through love that potentiality becomes actuality. We must love our enemies because only by loving them can we know God and experience the beauty of his holiness (4).

King is convinced and wants to convince his fellow civil rights marchers that love has transferring power upon the enemy. Love redeems an enemy. Through love enemies may be moved to change their evil attitudes and to

reject their hatred. It is not an easy thing to love one's enemy. But, according to the Bible, Christians are disciples of Jesus Christ and have been summoned to exercise love even for their enemies, the love which is a way to the knowledge and understanding of God. Furthermore, King maintains that people, even enemies, must be loved not because they deserve it, but because God loves them. For him, people as human beings are important. They are more than things. They are sinners, but they are also the children of God, created by him. They must not be killed or exploited (5). They must be loved because God loves them and they should be liberated by the action of love. "We love the person who does an evil deed, although we hate the deed that he does" (6), confirms King.

The love which King speaks about is the love which theologians distinguish from eros and from philia. It is agape, the divine love. King interprets this love in the following:

Agape is more than romantic love, it is more than friendship. Agape is understanding, creative, redemptive goodwill toward all men. Agape is an overflowing love which seeks nothing in return. Theologians would say that it is the love of God operating in the human heart. When you rise to love on this level, you love all men not because you like them, not because their ways appeal to you, but you love them because God loves them (7).

King calls on his followers to practice that love for enemies in developing and maintaining the capacity to forgive. There should be acceptance, i.e., those who inflict evil and injury upon them should and must be accepted and forgiven. King believes that "the forgiving act must always be initiated by the person who has been wronged, the victim of some great hurt, the recipient of some tortuous injustice, the absorber of some terrible act of oppression" (8). This initiating act is not intended to prevent the wrongdoer from asking for forgiveness. On the contrary, the wrongdoer may feel sorry, he or she may repent and ask for forgiveness. But it is the wronged one, the oppressed, who can offer forgiveness.

For King, forgiveness does not mean ignoring an evil deed. "It means, rather, that the evil act no longer remains as a barrier to the relationship. Forgiveness is a catalyst creating the atmosphere necessary for a fresh start and a new beginning. It is the lifting of a burden or the cancelling of a debt... Forgiveness means reconciliation, a coming together again" (9).

King does not think of an enemy as one who is occupied only with evil. For him a good element may still be found even in the worst enemy. In other words, King sees two elements in a human being - good and evil - and each of these elements wants to push or lead a person in its own direction. The Apostle Paul might have discovered this problem when he says in Romans 7:19: "For I do not do the good I want, but the evil I do not want is what I do." And Martin Luther King Jr. gave an analogical explanation when he writes in the following:

This simply means that there is some good in the worst of us and some evil in the best of us. When we discover this, we are less prone to hate our enemies. When we look beneath the surface, beneath the impulsive evil deed, we see within our enemy-neighbor a measure of goodness and know that the viciousness and evilness of his acts are not quite representative of all that he is. We see

him in a new light. We recognize that his hate grows out of fear, pride, ignorance, prejudice and misunderstanding, but in spite of this, we know God's image is ineffably etched in his being. Then we love our enemies by realizing that they are not totally bad and that they are not beyond the reach of God's redemptive love (10).

It was not King's intention to separate Blacks from white society, nor did he teach them to hate and humiliate their white oppressors. His intention was to fight against the evils that made Whites deny Blacks civil rights to participate in political and economic power in their own country, the United States of America. King and his black sisters and brothers had to struggle against the evils that have perpetuated oppressive and inhuman conditions for black Americans. They did not seek to destroy Whites as human beings but to unmask the evil, selfish attitudes of Whites.

King sought a society beyond racism, a society which could integrate all Americans - a society in which Blacks and Whites could live together in a harmony of brotherhood and sisterhood. In this relation, King's thoughts sometimes seem to radiate to a fraternal bond or to "one society" that in its time unites all races, even those nations which might not be liked or loved by Americans. Jesus Christ remains the center of this "one society." King speaks in the following way:

One day somebody should remind us that, even though there are many political and ideological differences between us, the Vietnamese are our brothers, the Russians are our brothers, the Chinese are our brothers; and one day we've got to sit down together at the table of brotherhood. But in Christ there is neither Jew nor Gentile. In Christ there is neither male nor female. In Christ there is neither communist nor capitalist. In Christ, somehow, there is neither bound nor free. We are all one in Christ Jesus. And when we truly believe in the sacredness of human personality, we won't exploit people, we won't trample over people with the iron feet of oppression, we won't kill anybody (11).

We can now make a brief conclusion of what has been discussed so far: King's love for his oppressor (enemy) is controlled by great love of God. This great love was revealed on the cross. For King, the cross of Jesus can be seen "as the magnificent symbol of love conquering hate and of light overcoming darkness" (12). All people, even enemies, should be loved because they have a place in the redemptive love of God. King believes that love even for the enemy is the key to the solution of the problems of this world. To remain obedient to the commandment of the Lord, "Love your enemy," can help the oppressed to forgive the evil acts of their oppressors. And this forgiveness should be a permanent attitude of the oppressed.

King respects and believes in the sacredness of human life - the sacredness seen in the commandment of God: "Thou shalt not kill." So King strongly avoids other means by which oppressors can rid themselves of their hatred and cruelty. Only love can conquer hate and win the enemy's friendship and understanding. This leads us to the following subject.

2. Martin Luther King Jr.: Meet Violence with Non-Violence

King was not only theoretical in his preaching of love for the enemy - in practice also he faced with love the American racist society. He knew that the enemy of black people was white, an oppressor who had oppressed and exploited the black people through intentional man-made segregation laws.

"The basic purpose of segregation was to perpetuate injustice and inequality," says King (13). "We must never let up in our determination to remove every vestige of segregation and discrimination from our nation, but we shall not in the process relinquish our privilege to love," King encourages his listeners (14). They boycotted buses in Montgomery, Alabama; they struggled for liberty and civil rights and demonstrated against unjust and oppressive conditions in many other cities located especially in Southern States. They marched in many public streets and roads, demanding their citizenship and civil rights. They were threatened, beaten, shot, jailed and judged. Some of them were killed. But through these terrible times of violence and hardship, they were devoted to the principle of non-violence.

King adopted non-violent resistance to the unjust and un-Christian conditions in the United States. He was introduced to the method of non-violence through studying the life and teaching of Mahatma Gandhi. Satyagraha (holding on to truth; resistance by non-violent means), the Gandhian concept which was created in South Africa (15), and describes the power of non-violent resistance, became very significant to King. Gandhi's method of non-violence and Jesus' teaching of love for the enemy became the major factors in King's non-violent resistance career. He revealed this fact in the following:

At the beginning of the protest the people called on me to serve as their spokesman. In accepting this responsibility, my mind, consciously or unconsciously, was driven back to the Sermon on the Mount and the Gandhian method of non-violent resistance. This principle became the guiding light of our movement. Christ furnished the spirit and motivation and Gandhi furnished the method (16).

King was convinced that the method of non-violence could be "one of the most potent weapons available to an oppressed people in their struggle for freedom" (17). He invited his black oppressed people to try with him to meet the white violent system with non-violent resistance. King told the angry black crowd the day his house was bombed:

We must meet violence with non-violence... We must love our white brothers...no matter what they do to us. We must make them know that we love them. Jesus still cries out in words that echo across the centuries: "Love your enemies; bless them that curse you; pray for them that despitefully use you." This is what we must live by. We must meet hate with love... (18).

King believed that nothing good could be harvested by meeting violence with violence, hate with hate. Violence and hate might multiply evils in both the oppressors and the oppressed and the result could be destruction. In his own words:

The problem with hatred and violence is that they intensify the fears of the white majority, and leave them less ashamed of their prejudices against Negroes. In the guilt and confusion confront-

ing our society, violence only adds to the chaos. It deepens the brutality of the oppressor and increases the bitterness of the oppressed. Violence is the antithesis of creativity and wholeness. It destroys community and makes brotherhood impossible (19).

King seems to have thought that their struggle was not non-dualistic, darkness against darkness, hate against hate, destruction against destruction, the fight which could "only" end in a multiple of hate, destruction and darkness. But the struggle was dualistic: light against darkness, love against hate, non-violence against violence, and this striving would one day lead to triumph - to a decisive victory.

Someone may ask, "has King's way of love and non-violence helped to make the enemy into a friend and liberate him or her from racism and enmity?" This question cannot be adequately answered by someone who is not an American Black. However, attempts should be made. The answer is "no" and "yes." It is "no" because the oppressors, especially in the Southern States, resisted change. They responded to the non-violent marchers in harsh ways. Persecution, jailings and brutal treatments were the usual experiences of King and his followers. Some of their houses and church buildings were destroyed by bombs. King and Mrs. Viola Gregg Liuzzo (a SCLC volunteer driver, a Michigan housewife and mother of five) (20) and some other members of the Civil Rights Movement even became martyrs to non-violence. Non-violence multiplied white brutal violence and hate against the black oppressed. It seems that King's non-violent method was violent in the eyes of the oppressor. It was challenging the old unjust and racist life of the oppressor. And the oppressor did not want to change. The truth is: Racism is still alive in America to this day and it will continue for centuries to come.

It is "yes" because non-violent marches won their causes. Segregation laws were scratched from the pages of books, from walls and doors. The laws of justice and integration began to function. A voting right measure for Blacks was enacted. The Voting Right Act of 1965 had an effect within the framework of the American government. Discrimination in the registration process started to be eliminated (21). Visible political racism continued to decline (22). In a word, the non-violent movement made Washington D.C. reread the situation of black people and begin the process of cleaning house by desegregation laws. When we think of "several" calls from Washington D.C. made by Attorney General Robert F. Kennedy and Press Secretary Pierre Salinger and even by President Kennedy himself to Mrs. Coretta Scott King reassuring her "of federal interest in her husband's confinement" (23) in Birmingham, one feels forced to conclude that the Federal Government of the United States of America also backed the Civil Rights Movement which was under the leadership of Martin Luther King Jr., the activist of non-violent persuasion.

Has King's non-violent resistance and his re-emphasizing of Jesus' teaching of love for the enemy helped the black oppressed towards liberation? No doubt they were helped by it. The non-violent movement helped black people to become psychologically liberated - it emancipated their minds. They became more than ever aware of their unjust and cruel repressive conditions and were willing to face them. They were freed from fear and were determined to stand face to face with Whites. They regained courage and were willing to sacrifice themselves and to stand for things which were necessary for them. They were helped to feel that they were people, human beings, and that white people were not "super-beings." Internal wounds of

those millions of Blacks who did not even march in the streets or who were not put in jail in the Southern States, were healed. The pride and honor which had been stripped from them over the centuries were restored to them. They learned that black people could unite and stand together to confront the Whites. King writes:

...it (non-violence) served his (Negro's) need to act on his own for his own liberation. It enabled him to transmute hatred into constructive energy, to seek not only to free himself but to free his oppressor from his sins. This transformation in turn had the marvellous effect of changing the face of the enemy. The enemy the Negro faced became not the individual who had oppressed him, but the evil system which permitted that individual to do so (24).

King's non-violence, guided by love for an enemy, did help the black oppressed to participate in their own liberation from humiliation and exploitation by their oppressors. It is very important: The oppressed must realize that they are victims of oppression and must be willing to sacrifice themselves to battle against the oppressive and unjust conditions which victimize them.

King's non-violence helped the black oppressed to join a non-violent war to liberate some white oppressors from bondage to racism and selfishness. They were not overcome or weakened by suffering; they could therefore lead some of their oppressors to self-realization of how they (the oppressors) were evil and needed to change. It is very interesting to hear that some of the Whites who came to this self-realization became active and joined the marches of the Movement. The march to the courthouse which took place in Selma, Alabama, on Wednesday, March 10, 1965, was joined by more than 450 white clergymen (25). One of these clergymen, Rev. James J. Reeb (a Boston Unitarian) was severely injured by Selma's local Whites during the evening of Tuesday, March 9, and died at Birmingham's University Hospital on Thursday, March 11, 1965 (26).

Finally, it is very important to recognize that Martin Luther King Jr.'s non-violence started and proceeded with prayer and faith in God and ended with trust in God who called him and worked with him in a non-violent ministry. King heard the following words from his inner voice the night he was about to give up the struggle: "Stand up for righteousness, stand up for truth; and God will be at your side forever" (27). These words strengthened and encouraged King to stride towards freedom, and towards social changes in American racist society. He believed that God was behind and before them; he was their initiator of success; they were instruments of God's work in history:

There is a creative power that works to pull down mountains of evil and level hilltops of injustice. God still works through history His wonders to perform. It seems as though God had decided to use Montgomery as the proving ground for the struggle and triumph of freedom and justice in America... (28)

There is still one question left to be asked and answered: How did the non-violent marches and demonstrations come to force the American Whites to respond positively to the demands of the Civil Rights Movement? This question will receive an answer in the following discussion.

3. Coercive Non-Violence and Achievement of Progress

King and his colleagues had learned much from failure and success through the years of struggle. Experience had taught them and they were ready to change some of their tactics and strategies. Non-violent persuasion was the strategy King had advocated during the 1950s and the very first years of the 1960s. His non-violent resistance was not aimed at defeating or humiliating the enemy (oppressor). It was a moral "try" committed to win the enemy's friendship and understanding, and "to awaken a sense of moral shame in the opponent." It was aimed at changing the hearts and minds of the oppressor and at "constantly seeking to persuade the opponent that he is mistaken" (29). This was King's idea, and he believed that it could work.

This non-violent persuasion was tested in Albany where it did not produce success. All of the SCLC's numerous groups of marchers who demonstrated in Albany were just peacefully arrested by Albany police chief, Laurie Pritchett. David J. Garrow commented on this failure and on the lesson King and his colleagues had learned from unsuccessful campaigns. We quote him at length:

The Albany campaign indicated that a strategy of non-violent persuasion would not necessarily move the SCLC's opponents towards reforms and a lessening of racial injustice...

... The most prominent of these lessons was that a strategy of non-violent persuasion which focused on changing the hearts and minds of one's opponents was unrealistic and ineffective. No substantive or symbolic gains had resulted from its use in Albany, and it appeared unlikely that its implementation elsewhere would result in progress towards a more just society and a weakening of white racism. Only in the wake of Albany did King begin to realize that coercive non-violence would be necessary if progress was to be achieved... Progress could be achieved if the Movement, and its external allies, could force Southern localities to implement progressive changes. Federal legislation, King increasingly realized, was one route by which effective change could be brought about. The path to such legislation, in turn, lay through the national news media and the audiences to which they could convey the Movement's pleas for assistance and reforms (30).

This is a long quotation, but it helps us to have a clear idea about the factors which had made King balance non-violent persuasion with coercive non-violence. By adopting the methods of coercive non-violence, King and his Movement were more able to change the status quo - the situation of injustice and of many kinds of oppression. Coercive non-violence was the only feasible and successful means of resisting violent opponents. And in this way the Movement was best served "in its effort to gain active support from the American populace" (31).

The Movement took the city of Selma as "a proving ground" for aggressive non-violent coercion. The demonstration began first in Selma on January 18, 1965. The Movement's "goal in the Selma effort was new federal voting rights legislation..." (32) This goal could not be achieved easily without appealing to "the conscience of the Congress." King himself was once quoted explaining the goal:

The goal of the demonstrations in Selma, as elsewhere, is to

dramatize the existence of injustice and to bring about the presence of justice by methods of non-violence. Long years of experience indicate to us that Negroes can achieve this goal when four things occur. First, non-violent demonstrators go into the streets to exercise their constitutional rights. Second, racists resist by unleashing violence against them. Third, Americans of conscience in the name of decency demand federal intervention and legislation. Fourth and last, the administration, under mass pressure, initiates measures of immediate intervention and remedial legislation (33).

Things took place just as King had predicted. The demonstrators were met in the streets by white racist opponents employing clubs, guns and dogs, tear gas and whips. (It could be suggested that the Movement strategy was aimed at provoking violence against itself.) The news media, which had played a crucial role for the Movement, stepped in and showed millions of Americans the opponents' brutal violence against non-violent demonstrators and protesters. As the conflict was well dramatized by the news media, the audience could clearly see "who was the evil-doer and who the undeserving victim" (34). The result was a strong reaction which produced solid support, both inside and outside America, for the American black oppressed. The events in Selma forced President Johnson to take the cry of American Negroes to Congress and to millions of American homes. In his address televised on March 15, 1965, he spoke for the black American and for his demonstrations:

His actions and protests, his courage to risk safety and even to risk life, have awakened the conscience of this nation. His demonstrations have been designed to call attention to injustice, designed to provoke change, designed to stir reform... Equality depends not on the force of arms or tear gas but upon the force of moral right... (35)

The Civil Rights Movement under the leadership of Martin Luther King Jr. and his aides brought about a change in American politics. Not only are Blacks now represented by Blacks in Southern States, but also in Washington D.C. In this way the Civil Rights Movement has, to some extent, succeeded in changing the status quo not by bullet but by ballot.

Our task would be incomplete if we concluded our discussion on King and his Movement without saying a word about the man who provided him with his methods of non-violence. This is the subject we will now briefly deal with.

4. "Gandhi Furnished the Method"

Martin Luther King Jr. had adopted and adapted Mahatma Gandhian methods of non-violence in order to use them in his Civil Rights and Liberation Movement. Some of these methods or elements which Gandhi himself had utilized in his campaigns for the liberation of India from British colonialism were the following:

Satyagraha, a term changed by Mahatma Gandhi from the word "Sadagraha" (sat = truth; graha = firmness) which was coined by Gandhi in South Africa (36). The meaning of its root is "holding on to truth; resistance by non-violent means" (37). It can also be defined as a moral commitment to non-

violence. Within satyagraha strategy, members of the Gandhian movement were socialized to avoid violence, and to insist on truth. They were trained in satyagraha arts during preparatory periods before each campaign and encouraged not to lose self-control in any given conflict. King and his aids also spent time preparing the marchers whenever they were about to engage in demonstrations and protests.

At times, when the given conflict was not resolved immediately, Gandhi with his satyagraha movement had to launch direct action campaigns. This was done by agitating workers to strike, economic boycotts, non-cooperation action, civil disobedience etc. In other words, when the situation demanded confrontation, Gandhi used non-violent strategies and tactics as a technique to get things moving. King and his Movement also resorted to some of these strategies, e.g., non-cooperation, civil disobedience, boycotting buses etc.

Whenever the conflict necessarily demanded a compromise, therefore, Gandhi could accept it as a synthesis. We are told that "the satyagrahi (one adhering to the principle of satyagraha) (38) is never prepared to yield any position which he holds to be the truth" (39). King had also held negotiations with the opponents but he did not accept the results which might have distorted the truth and betrayed his Movement's aspirations.

Satyagraha aimed at bringing the opponents to self-realization, not by way of eliminating and humiliating them, but by way of non-violent persuasion. This method was also employed by King.

Paul Wehr pointed out that "Whenever possible, Gandhi would lead a campaign personally..." (40) From this observation we can conclude that Gandhi could delegate some of his colleagues to lead the campaigns. This method was also used by King.

To avoid false and confusing rumors about the commitment of the satyagraha movement, Gandhi allowed open discussion of his techniques and tactics. "Steps in the campaign were made known to opponents beforehand. He used the mass media to acquaint everyone with movement plans" (41). King had openly spoken about the goal of the marches in order to make the issue clear, even to his enemy.

King and the members of his Southern Christian Leadership Conference were fortunate enough to be active and campaigning during a time when the television system was being widely used. White racists were seen when they were brutally humiliating black protesters. Scenes of these evils increased anger in black Americans who did not even participate in the protests, and on the other hand it roused white American support for the black oppressed.

Gandhi had employed tactics to provoke violent responses from police and bystanders, and in this way, those in positions of authority were forced to bring about a positive response which could lead to social and political changes. Negative reactions were not often excluded. The big question and aspiration for Gandhi concerned the end of the colonial rule. A positive answer to that could bring about a great change both in the political and social scene of India.

King's dream of a non-racist society in America has not yet fully received a "clear-cut" response. Black Americans still have a long way to go to be fully accepted as human beings in the country of their birth and to root

out the racism still prevalent there. But despite that, the granting of voting rights to the Blacks has stimulated a change in American politics.

5. Conclusion

This conclusion concerns our discussion on Martin Luther King Jr. and his Movement. King remains a remarkable man in the history of non-violent campaigns in the world. He renounced the use of violence and employed non-violent strategies by which he came to struggle for human rights. The achievement of his Movement teaches us that non-violent methods can produce results both in theory and practice. His activity and suffering call us from quietism and passivism to activism and confrontation and admonish us to hold on to truth.

Through the actions which King and his Movement had to undertake against the racism of the majority in a vast country, we are called to commit ourselves to the struggle for justice against injustice and oppressions which are practiced against human beings. Christians should not and must not deny their task of playing a role in the transformation of society. It was an idea of Martin Luther King Jr. that as a Christian one has to stand up for the oppressed against the oppressor who needs to be forced by means of non-violence to concede change - not by physical force, but by moral pressure. In fact, it is the oppressed who can stand up to liberate the oppressors from social injustice and from the sins of oppressions. The oppressors are blind and cannot see and realize their sins. It is the oppressed who may make the oppressors see and realize their evil deeds. This can only take place when the oppressed people try to liberate themselves from the chains of the oppressor. In doing this much suffering will fall upon the oppressed people. They should not try to avoid the suffering but carry on the noble struggle for liberation and justice. God is on their side.

It is my hope that the questions at the beginning of this paper have received some answers. The oppressed should liberate both themselves and their oppressor. Oppressed people are instruments in the liberating hand of God, the Liberator.

In this paper I have refrained from making any critical remarks on King himself and on his non-violent methods. I admire him and wonder at his courage in standing up for truth and justice. He was a man of God and I believe that God found for himself an obedient servant in him through whom he could work for the liberation and welfare of black Americans. However, I do question certain terms such as "reform" and "protest" which were used either by him or by those who wrote about him. In any case, there were elements of protest and reform in his non-violent campaigns.

These terms are indicative of problematic conceptions. The term "protest" may mean merely calling attention to injustice while "reform" seems to mean lessening the system of oppression and corruption or to stand for improvement. However, to speak of reform in a white racist society is misleading. South African Whites might tell the world about reform, but in truth there is no abandonment or elimination of racism in that country at all. The terms "revolution" and "violence" seem to sound stronger than "reform" and "protest." In the following discussion we will consider whether or not violence could be employed in the struggle for liberation.

6. Should Violence be Completely Excluded from the Struggle
for Liberation and Freedom?

The term "revolution" can be defined as a refusal to accommodate an established evil order. Our understanding of revolution is that things can become otherwise in the direction of justice which has to be struggled for and promoted.

The term "violence" in the sense of counter-violence, is a radical way through which the oppressed people call the oppressors to radically change their inhuman ways and oppressive system into a human and just one. Racism in Namibia, South Africa and America should be regarded as evil, hence violence which must be fought against. Revolutionary violence against the white violence which already exists is also another means by which the oppressed can create a just society. Violence should only be used as a last resort, a final attempt when all other non-violent methods to change an unjust situation in the country have proved to be of no avail. Revolutionary violence as a last resort, and as a legitimate right of those who are oppressed by an unjust social order, should be well planned and managed in order to remove an unjust and oppressive order and establish a just one. It should be a means towards political changes - it should not and must not be a means for creating new oppression and slavery.

Revolutionary violence does not rule out love for the enemy. Love for the enemy does not mean accepting the oppressors' inhuman treatment and racism. It means a radical confrontation with the oppressors, a confrontation which is aimed not at the destruction of the oppressors as human beings, but at rejection and destruction of their radical and oppressive structure and unjust and un-Christian system. It is love which does not deny its right to defend itself against those who try to destroy humanity. People as God's creatures are not bound to submit themselves to the system and laws of the oppressor which dehumanize them. All the laws which contradict human dignity should be broken.

Undoubtedly those who carry on violence as a last resort will have to suffer much if they do not succeed in removing a violent and oppressive order by an immediate step. Oppressors often attempt to intensify their unjust violence and merciless methods against the violence (defence) of the oppressed people. Situations like these are visible in our country, Namibia, where thousands of South African soldiers are seen almost everywhere, especially in the northern parts of the country with dangerous and destructive armaments. Many innocent black people have been brutally treated and exterminated by these soldiers. Despite massive armaments and demonic actions of the oppressors against the oppressed, freedom fighters are holding on to their commitment to the struggle for freedom. The elimination of the evils of the oppressive and unjust order and the creation of a just society should be the goal of the oppressed people.

It can be said that violence as a way of eliminating evil has biblical support. According to the Old Testament, Israel was told to eliminate evil from her society. According to the same book, God eliminated evil by fighting it. When Israel became corrupt and disobedient to God, God used violence to bring Israel to repentance. Israel was exiled and when Israel repented, God, according to the Bible, used violence in turn against Israel's oppressors and so liberated his people. In other words, when the first violence in God's hand had met its goal, i.e., the repentance of Israel, God used another violence to set her free. Thus God used violence through

people as human beings against evil. This point is very interesting in a theology of violence. Do violent actions of the oppressed against oppressors participate in God's violence (war) against evil? The Book of Revelation in the New Testament speaks of the battle against evils, dragons, etc. The angels are said to participate in such war (see Revelation 12 ff.). The problem for the human being is that we are "incapable" or unwilling to discern the divine call for war against evil and injustice.

We conclude this discussion and this paper by saying that violence as a last resort for the oppressed should not be completely excluded from the struggle for liberation and freedom. Non-violence comes first - just violence follows when the use of non-violent methods has failed.

This is also a biblical approach. In the Old Testament, God did not begin to use a just violence. He first called Israel through the Law and through his prophets. This loving and liberating God calls us all to the commitment of the liberation of the oppressed and to the struggle against injustice. If Jesus Christ came into the world to liberate human beings, then Christians must disassociate themselves from the structures and systems that tend to oppress people and negate their freedom. Christians must express their solidarity with the oppressed in the attempt to transform oppressive conditions, in the attempt to create a just society which can never be finished.

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Notes:

- (1) David J. Garrow, Protest at Selma: Martin Luther King Jr. and the Voting Right Act of 1965 (New Haven and London: Yale University Press, 1978), p. 1.
- (2) Ibid., p. 6.
- (3) Martin Luther King Jr., Strength to Love (Great Britain: Hodder and Stoughton, 1964), p. 52.
- (4) Ibid., p. 53.
- (5) Martin Luther King Jr., The Measure of a Man (Philadelphia: The Christian Education Press), p. 8.
- (6) King, Strength to Love, p. 50.
- (7) Martin Luther King Jr., The Trumpet of Conscience (New York: Harper and Row, 1967), p. 73.
- (8) King, Strength to Love, p. 48.
- (9) Ibid., pp. 48-49.
- (10) Ibid., p. 49.
- (11) King, The Trumpet of Conscience, p. 72.
- (12) King, Strength to Love, p. 46.
- (13) Martin Luther King Jr., Stride Toward Freedom: The Montgomery Story (New York: Harper and Row, 1958), p. 113.
- (14) King, The Trumpet of Conscience, p. 74.
- (15) See M. K. Gandhi, An Autobiography: The Story of My Experiments with Truth, trans. by Mahadev Desai (Boston: Beacon Press, 1957), pp. 318-319.
- (16) King, Strength to Love, p. 151.

- (17) Ibid.
- (18) King, Stride Toward Freedom, pp. 137-138.
- (19) Martin Luther King Jr., Where Do We Go from Here: Chaos or Community? (New York: Harper and Row, 1977), pp. 70-71.
- (20) David J. Garrow, Protest at Selma, p. 117. Cleage thinks that King's death proved that non-violence will not work in America. He writes in his book, The Black Messiah, p. 202: "If Dr. King's death proved anything beyond the shadow of a doubt, it proved that non-violence will never work in a violent white racist society... He tried in every way possible to be non-violent. He took no steps to protect his life. He believed in the power of non-violence. He hoped, and prayed, that the black men's non-violence could somehow redeem white people. He believed it. And you know what white people did to him? They killed him."
- (21) See Garrow, Protest at Selma, p. 185.
- (22) Ibid., pp. 189 and 201.
- (23) Ibid., p. 138.
- (24) Martin Luther King Jr., Why We Can't Wait (New York: Harper and Row, 1963), p. 28.
- (25) See Garrow, Protest at Selma, p. 91.
- (26) Ibid., pp. 91 and 97.
- (27) King, Stride Toward Freedom, p. 135.
- (28) Ibid., pp. 71-72.
- (29) Garrow, Protest at Selma, p. 220.
- (30) Ibid., p. 221-222.
- (31) Ibid., p. 223.
- (32) Ibid., p. 223.
- (33) Ibid., p. 225.
- (34) Ibid., p. 226.
- (35) Ibid., p. 107.
- (36) Gandhi, An Autobiography, p. 319.
- (37) Thomas Merton (ed.), Gandhi on Non-Violence (New York: New Directions Publishing Corporation, 1964), p. 4 and 81.
- (38) Ibid., p. 82.
- (39) Paul Wehr, Conflict Regulation (Boulder, Colorado: Westview Press Inc., 1979), p. 65.
- (40) Ibid., p. 63.
- (41) Ibid., p. 62.

WHICH LAW AND WHICH STATE?

Opposing Ideals in the Light of Christian Ethics

Albert Stein

All over the world today people are driven by the hunger for justice and the pain of injustice. Whether as victims of violence or as those who wish to have recourse to violence, or as those who suffer because of their responsibility for the use of violence, their situation is often equally oppressive. When they try to reflect on their situation and to be clear as to the response required of them, they are soon brought up against the question of the state and of law.

The state and the law are the sphere of work of politicians and civil servants, lawyers and political scientists who also approach the problem of force and counterforce as professional people. They employ their professional lingo, and professional traditions and their own individual convictions determine their approach to problems. But other people, too, are affected by violence and the problem of violence, especially when it is employed in the sphere of government and in legal contexts. It is, so to speak, as amateurs, having neither a professional nor an expert approach, that these people have to try to answer the same questions for themselves. Usually they are at the mercy of conceptions of the state and law which seek to make these inseparable phenomena vivid and manageable by presenting them in simplified terms and models. A certain clarity has been and still is undeniably present in such concepts in some places and at certain times; but all too often the observer found different possibilities locked together in rivalry in these basic interpretations of state and law or superimposed on each other.

Christians who are subject to God's promise and claim cannot approach the pressing questions of daily life exclusively from the angle of such concepts of the state and law. The obedience which they owe to God and the new life given them in Christ constrains them to demand here a response congruous with their Christian faith. Christian ethics seeks to secure them help here. With this responsibility in mind, the present essay will enquire firstly into the conceptual presuppositions (I), then into the concepts which are most widespread today (II), and finally into the assessment of these concepts from the angle of Christian ethics (III). In each case, the enquiry will have a practical rather than an academic edge to it. Law and state are for us outward forms of the reality which determines our life in modern society; they are institutions. Sociologists define "institutions" as the subunits of society whereby its existence is consolidated and stabilized with a relatively high degree of constancy because they produce self-perpetuating cultural achievements which promote community and give meaning (e.g. marriage, family). Coherence is given to these institutions by the mutually matching demands and directives for action on the part of those involved in them. These demands and directives can arise from decorum or custom but they can also have the force of moral imperatives. Midway between these two possibilities are the "legal norms" which, on the one hand,

represent the "ethical minimum" and, on the other hand, demand recognition as having more binding force than mere decorum.

I.

In our present civilization, it is the state which provides and guarantees legal norms. Sociologically, the state is an organized form of sovereignty which seeks to achieve its goals by the sovereign exercise of power. Viewed from the angle of law, state power is exercised by a national state in a defined state sphere. The state claims sovereignty for itself; i.e. it claims to be the supreme and all embracing power in its particular sphere. In recent times, this claim is modified by the supra-national government organizations (e.g. UNO). In federal states such as the USA or the Federal Republic of Germany, state power is often distributed between the federation and the countries federated in it. The branches of law into which the whole sphere of law is divided, mainly for purpose of study, include, for example: civil law (covering esp. family law and property law, inheritance law, education law - all still subject to legal sanctions), trading law and labor laws, judicial procedure law and law dealing with compulsory enforcement, public law (concerning the "public affairs" of the *res publica*, i.e. constitutional law, administrative law, etc.). The fact that a really concrete case usually impinges on a number of branches of law at one and the same time and can only be settled properly if all its implications are taken into account makes it even harder for non-legal minds and apprentice lawyers to master the subject. Difficulties also arise because the term "law" is sometimes used in the sense of an "objective right" (legal system, legal provision; the law requires me to do this or that...) and sometimes in the sense of "subjective right" (on the basis of the legal system I can - as subject - require another person to do or to refrain from doing a certain thing).

Legal norms can be either written or unwritten (i.e. common law); the latter develops through legal practice and can in many countries take precedence of the written law. We find in the Old Testament a case law largely developed by judicial decisions on the part of the elders of the people and in process of gradual expansion. Such case law has been and still is of considerable importance also in the Anglo-Saxon countries. The Roman Law of imperial times had worldwide influence and was an academic law based mainly on the opinions and written teaching of the legal experts. Since the Enlightenment, the law of continental European countries has been a codified statute law (e.g. a civil or criminal code). Here the legal provisions are systematically arranged and coordinated, which encourages the administration of justice by trained jurists in accordance with the directions of the legislature.

Legal norms can be arranged according to their order of priority into constitutional (simple) laws, ordinances and regulations (of corporations such as cities and market towns which are at a lower level than the state or federation); in each case the superior norm establishes the limits for the norms standing below it. From the structural standpoint, the legal units of the statute law are abstract conditional imperatives which, following the "if so-and-so, then so-and-so" pattern, establish the major premise which is then filled in by the judge or law-enforcement officer on the basis of what he or she has established concerning the subordinate clause (the

subsumption or minor clause; e.g.: "Anyone stealing a horse is to be hanged" - this is the major premise or legal norm; "Winnetou has stolen a horse" - this is the minor premise, where the facts have to be established; "therefore Winnetou is to be hanged" - this is the conclusion, the delivery of sentence).

In the case of modern laws, of course, the procedure is not as simple as this example suggests. As a consequence of modern technologies of codification, matters which in substance belong together are sometimes separated by logic. For example, an important supplementary regulation sometimes only appears one or even several paragraphs later. For jurists, too, some terms have a quite special significance which departs from the ordinary meaning, or are given a special sense laid down by the law itself (definitions). Differentiation is possible here between entitlement norms, mandatory norms, prohibitional norms, definition norms, competence norms, etc. All this makes it practically impossible for the non-legal mind to even begin to understand contemporary legal documents. Laws are words of today which, on the basis of experience of yesterday's problems, seek to settle tomorrow's problems. They suffer, therefore, from the unpredictability of social developments and can also display gaps and obscurities. Here the jurists call in the aid of interpretation, taking into account the meaning of words, the origin and history of a particular legal provision and its meaning, comparison with other provisions, and, finally, "equity," i.e. the notion which the person making the decision has of what would be an appropriate outcome to the process.

The skill and ethos of the jurist as judge and advocate are based on the fact that they are not intended to understand the law simply as a pre-established conglomerate of legal documents and texts. In a particular conflict which they have previously analysed so as to uncover the vital issue which underlines every confusing conflict and succeeded in bringing to light the truth clearly separated from falsehood and error, their aim on the contrary is to achieve, by their own conscientious decision, a solution which can be warranted both in the light of the given law and in face of people struggling for their rights and for justice.

The necessary question as to the inherent legitimacy of every single judicial verdict also applies, of course, to the state and the law as a whole. The ultimately mythological apotheosis of state and law in a supposedly "divine right of kings" or in the shape of a sacrosanct claim to supreme power on the part of the ruling classes no longer makes sense to us. Nor can our subjection to the state and law be based on the idea that these institutions originated in a national treaty, the parties to which are supposed to have combined forces to form the state and now to be subject to it within the limits of this contract. On the other hand, the notion of a national contract of this kind does help us to understand the processes involved in relations between citizens and the state. If by their continued participation in the life of state institutions, citizens repeatedly and conclusively affirm and confirm the state as such, this, while not amounting of course to a national contract, does nevertheless in some respects approximate to the element of voluntary agreement in the establishment of a contract between parties. The state does not confront us, therefore, exclusively as an assembly of legal norms but also and even primarily as a sociological and political process of integration. Another feature of the treaty as a paradigm, moreover, is the element of reciprocity: it is not just the citizens who have obligations towards the state but also the state, in the shape of the civil community, which has obligations to its citizens.

Even the state, therefore, has duties to perform towards the citizen and it can forfeit its claim to the citizen's obedience when it neglects or even violates its obligations in this respect. Finally, the idea of a national contract includes the element of civil equality and democratic impartiality. If my relation to the state can be understood as contractual, then my legal position in respect of the state rests on my participation in the general conclusion of the contract and therefore is the same in kind as that of every other party to the treaty.

There is a special relation between the state and law, on the one hand, and the problem of force, on the other. For the legal order established by the state gives the state's officials authority within legal limits to employ even force to accomplish their mission. But the same legal order forbids in principle all use of force by private persons and at the very most permits it only in special emergency situations. On the other hand, it threatens its illegitimate use, especially against state officials, with penal sanctions. The state claims for itself the monopoly of the legal use of force. The citizens are not to try to secure their own interests but, as a matter of principle, to summon the state apparatus to examine the justice of these interests and, if necessary, secure them by the use of legitimate force. As far as possible, the state legislation requires, the citizens should by their obedience to the law reduce the need for the state to employ such legitimate force to a minimum and even eliminate it altogether. If, however, the citizens resist it by their own violence, they bring down on their own heads the penal force of the state. Violence means here, in both directions, the physically experienced exercise of force in order to overcome or neutralize the resister's will. When the state exercises this power, we speak of legal enforcement such as the police in particular are entitled to use. When the individual employs violence against a fellow citizen, a statutory offence of intimidation may have been committed; if the offence is committed with the intent of material gain, the crime of theft may have been committed; in the case of a violent sexual aggression, it may be a case of rape. The use of force by an individual against another individual may be a case of legitimate defence if a person in immediate danger seeks to defend him or herself against illegitimate intimidation or pressure; right does not have to yield to wrong; even the individual can in an emergency become the defender of the legal order. But even self-defence becomes inadmissible if police enforcement by the state is available; and those employing violence of this kind against the state's enforcement officers are themselves guilty of the new crime of resistance to state authority.

The legal provisions briefly referred to here leave plenty of room for dispute, of course, as to the boundary line between the permissible and the impermissible. If I squat down on the tramlines to protest against a rise in fares, is this in itself violence or simply a legitimate exercise of my democratic rights? When a guardian of public order removes me bodily from the tracks, is this legitimate police pressure? If I then deliberately make things difficult for the police by passiveness, is this an indulgence in illegitimate resistance? Is he entitled to use his truncheon on me? and so on, and so on.

These remarks may smack a little of textbook illustrations for legal classrooms. It becomes more difficult when we turn to the problem in the area of economic struggles for power and survival. If a trade union battling for fair wages orders a strike and irreparably damages a business in the process, so that employees who are anxious to go on working are also affected adversely by it, does this constitute a punishable form of duress? If the

police go into action with water hoses against striking workers blocking the entrance to the factory, are they defending democratic freedoms or the firm's profits? Questions of how the legal regulations are to be interpreted can no longer be answered if we fail to answer at the same time the question of the basic conception of economic order, one way or the other, and to accept responsibility for this answer and to justify it. In terms of formal concepts alone, it is impossible to infer on which side legitimate force is being used and where it is confronted with illegitimate force. Anyone who keeps to these formal concepts without examining the back-grounds, simply equates the momentum of existing conditions with justice and the deliberate attempt to change these conditions with injustice. But it will still be easier to reach agreement on the respective rights and limits of industrialists and trade unions than on the basic presuppositions of a common life which call in question the survival and future of this and coming generations. Is the majority decision of a parliamentary body at regional or local level sufficient to warrant the creation of unalterable future conditions the negative results of which can be neither controlled nor even estimated, by the building of a nuclear power station or the storage of toxic waste products? The question here is obviously that of striking a balance between the strict legality of a decision and its responsibility in terms of considerations which transcend the law, between merely formal legality and substantial legitimacy. Unless we try to say something about the background of the conflict as well, we cannot possibly answer the question of the legitimacy of force and counterforce in a way which includes the possibility of a peaceful solution.

When it is a question of peace or war between nations and blocks of nations, the inadequacy of such questions must strike even the meanest intelligence. War is violence between states; and the question of lawfulness, and (if there is such a thing as a law of war) the question of the limits, of armed violence, is as old as humanity itself. It has been left to our century solemnly to outlaw war as a political instrument by international treaties and to create international organizations in order to secure a peaceful co-existence between the nations. The world owes the provisional postponement of a third world war after the two which have already happened within this single century, of course, not to these agencies but to the balance of terror by long-range nuclear weapons of unimaginably destructive potentiality. Meanwhile, the number as well as the horror of regional wars has remained undiminished. Further clarification is urgently required, therefore, even of the question of the justification and legitimacy of armed conflicts. Is the authority to wage war for the purpose of defending its sovereignty part of the law of an independent state, so long as it sticks to the traditional usages of the international community in the formalities of the declaration of war and in the accepted limits on the instruments of the struggle? Or does this view of the classic law of nations have to be jettisoned today when the nations of the world have come to realize their mutual dependence and, as passengers on "Space Ship Earth," can hope still for a future only by working together for common survival?

To sum up our initial reflections: the concept and the reality of the state, as of the law, are indissolubly connected today with the question of force, its nature and its limits. Confronted with today's problems, we certainly cannot seek an answer by simply appealing to already existing traditions or to the formulas of legal texts. To say this is not to disparage the importance of good social customs or proven rules of common social life. In a whole variety of ordinary daily situations of conflict, the use of such social patterns will still provide the first and best aid. A

traffic accident, for example, or a dispute over shoddy workmanship in the building of a house, but even an economic industrial dispute and even a divorce, with their consequences for the external ordering of the common life, can best be solved, and solved with the best prospect of acceptance by the parties concerned, if the traditional procedure in such matters and the relevant legal documents are sought and examined. In the sense intended here, however, the question of force touches on the limits of law and state. In a case of conflict, neither side will be short of formal arguments. If the clarification is to go deeper, however, it will be necessary to ask what underlies the concepts of state and law, what is it expected to achieve here and what work of legitimation is carried out here.

II.

It is not my aim in the following pages to try to add to the many excellent specialist presentations of the history of the state and law a summary inevitably full of gaps. My aim is to clarify the problem, rather, and this will be best achieved by illustrating, without claim to academic completeness, how differently law and state can be experienced today and what this implies for the question of force. What I want to do - at the risk of oversimplification and deliberately leaving on one side questions of demarcation and amalgamation - is to illustrate the most widespread foreunderstandings of the state and the legal order by the four patterns of the father, the mother, the guardian and the gladiator.

It was still customary in my childhood for people to speak of the state as the "Father State." The generation which employed this term lived quite naturally and spontaneously in a paternalistically, indeed, patriarchally ordered world. The state one thought of when one spoke of the "Father State" was governed and symbolized by walrus-moustached father figures. In the family as in all other forms of community life up to its ultimate epitome in the state, it was invariably a man who ruled, a man who with fatherly vigor decreed order - his order - on everything and also established this order as something to be taken for granted. In the microform of the family as in the macroform of the state, the rules of this paternal house were strict, clear and unswerving. By threats or the cane, the child who broke the domestic rules, however slightly, was made to see reason. The son or daughter who rebelled against paternal authority - the best known examples of this, often described in literature, were the free choice of a profession or a marriage partner - lost their home and their rights in their paternal home. To the degree that this still seemed tolerable, it was so only because the evident severity was meant to serve what was considered to be a good purpose and because even the head of the family was himself manifestly obeying a higher law. Within the often very narrow limits of this domestic order, it was possible for the generations, the intimate and wider circle of the family, and the domestic servants to live together. The notion that this order could be changed, that there could be a radical upheaval in the relationship between those who were together subject to it, was either inconceivable or felt to be manifestly untrue. The "Father State" was a class state, giving order to a society divided into fixed classes into which climbers could only penetrate in exceptional circumstances. This order was not open to questions; it was upheld and made a reality by the upper classes over against the lower classes in each case. In accordance with the nursery rhyme, "King, Knight, Nobleman, - Merchant,

Farmer, Beggarman," everyone had his or her allotted place. The "father of the country" represented and guided a well-ordered whole. In the best case, he did not regard himself as a proprietor with unlimited rights to do as he pleased, but as an officer of the whole community assigned a particularly onerous position. It was a case of the Prince as the "first servant of the state!" The meaning and legitimacy of the state so conceived lay in its confirmation and maintenance of the existing class order. The supreme service performed by the "Father State" for all the subjects of the state was to show and secure for them their rightful place. For those "on the sunny side," this could mean a great deal; for those "in the shade" it meant hardly more than bare survival. The incapacity of this view of the state convincingly to fulfil this task of securing the life of the whole "family of the state" during the great political and world economic upheavals, led eventually to its collapse in the time of the great wars and crises.

The view of law which matched this patriarchal view of the state seems to have been granted a somewhat longer lease of life. According to this view, law matched the domestic order which a right-minded and responsible father established for his family and dependents. Law holds good and must be obeyed as the authoritative decision of the lawgiver for the sake of the power of this same lawgiver, just as it also implies the word and will of this father of the laws. "The law's the law!" - down to our own day, this has remained the rather simplified core of many a philosophy of law and at any rate the slogan of many people concerned with the observance and enforcement of the law. For enforced such a law must undoubtedly be; the enforcement of obedience is of its very essence; the person who disobeys the law must be punished by the law. If we start from the model of a state which as sole independent father must keep dependents within the bounds of order, even torture and the horror of public executions can be found room in the image of law. And so long as heads of government in civilized modern states - women as well as men - call for the return of the hangman or executioner, the idea of law which prevailed in the patriarchal era has not been abandoned. But even in more mundane matters, in the street traffic laws, for example, we frequently find the slogan "rules are rules," even in societies which in other respects have a very different image of themselves; the simplistic view that since a certain rule has always been understood to mean just this it must therefore go on meaning just this. It is not only the law which aims at compulsory enforcement by every possible means which ends up in an image of the state in which one "Super Father" rules over his dependents, but also that which insists on the literal meaning of legal regulations as a self-justifying and self-interpreting structure of meaning.

The idea of the state as a "mother," which we now wish to consider as a second stage in this attempt to clarify the whole problem, is not a familiar one in the German-speaking area. There may be a "Mother Church" and a university may traditionally be known as "Alma Mater," but the image of motherliness was not in the ordinary way of things applied to the legally ordered inclusive community of the state. But to think of the state as the great "mother" of its citizens, can help to bring out the special feature of the Western-type modern welfare state in contrast to the patriarchal type.

For this image, of course, we shall have to bear in mind not so much the image of a modern family directed by married people in partnership, with the mother seeking her self-fulfilment in principle outside the family as well as within it; the mother we must have in view is the housewife who

devotes herself wholly to the organization and direction of the domestic life of the family. Unlike the patriarchal father, the ideal she represents is not that of stabilizing the structure of roles in the family and the embodiment of this structure in a total cohesive community. What is expected of her, demanded of her indeed, is that by her foresight and her ingenuity in providing and distributing resources, the needs of all the members of her family are constantly taken care of and satisfied. This provision takes different forms depending on the age and condition of the individual members of the family, but the basic pattern remains the same; the need of the one cared for is matched by the mother's care; the expectations of the members of the family are met by the foresight, planning and provision of the mother. As the mother creates and gives, so those in her care take and use, with a tendency to an increase in both directions.

Even a maternal family state of this kind has its internal order. Mealtimes and places must be strictly adhered to, household chores are to be performed and payments made by those old enough to do so, so that the system of administering the family may continue to be a going concern. Even the welfare state, which understands itself mainly as the producer of social achievements, has its order which is usually expressed in the traditional language of law. Here, however, this no longer means prescriptions to be kept for their own sake but rather the fulfilment of the conditions necessary for the significant production of social achievements. As the support of the poor by the voluntary gifts of charitable rich people changed over the centuries into an organized system of public welfare, so the desire for equality in the support of the poor from the public purse developed until it became the idea of a legal claim to a life protected against direct poverty by legally organized donations for the necessities of life. Finally, however, in ever wider circles, the idea gained ground that the state, instead of finding its ultimate meaning solely in a paternal preservation of social order, should now find it in a maternal care for existence itself. Large areas of education and training, medical care and care in old age became not only public tasks but also social rights and even basic rights written into the constitution. Only, with the extension of the responsibilities of "Mother State," her need also grew for cooperation as well as contributions from the family circle; the tiny élite of officials occupied with "Father State's" government commissions became an army of public employees in the social, educational and cultural sectors, and modest public contributions gradually turned into tax-impositions bordering on the confiscatory.

In the welfare state understood in such "maternal" terms, the welfare of the citizens of the state has become the principle for the interpretation of the law and the ultimate meaning of the state's activity. In contradiction to this is a growing self-imposed compulsion as well as a penal system which includes as a limiting possibility the elimination of all resistance to it; there is no longer room even for a struggle with neighboring states for the maintenance of power. Yet even here there is still room for sanctions against anyone who endangers the system by infringements of the necessary regulations and by withholding the required contributions. Those who fail to respect these domestic rules of the social family may expect tangible reductions in and even the complete withdrawal of family benefits. The welfare state tries to provide itself with a social penal law and even to replace the traditional names more effectively by those of a social measures law. The result is not the elimination of all "welfare criminality" nor even the prevention of the abuse of social benefits.

The state as "guardian" of its citizens does indeed seek to perform paternal and maternal roles towards them but it does so only for a fixed and measurable time. Its efforts are not based on the occupation of a permanent position of super-ordination, therefore. A guardian looks after children who are growing up to maturity and are looking forward to being independent and responsible for themselves. A guardian directs, educates, feeds and encourages with a view to this future maturity. If he or she understands the office rightly, this will be evident in all the measures he or she takes. As guardian he or she is eager to make guardianship unnecessary as soon as possible and in the end to give an account of his or her stewardship. What helps him or her in the adoption of this attitude is confidence in the growth of the ward to maturity and in the wholesomeness of his or her well-planned program; in these two ways the guardian finds tolerable and desirable a situation which need only last and can only last for a limited period of guardianship.

A number of state forms have already appeared which claimed to be based on guardianship and subject to its claims. In ancient Rome we find dictatorial state power as a temporary suspension of democratic community life in favor of a monarchy limited to the duration of a political crisis. The absolute ruler of the early Enlightenment period in Europe, limited not so much by the calendar as by the hope of an early redundancy resulting from the success of his conduct of the state as its guardian, fulfils his powerful role (to the extent that he regards himself as enlightened) in the interests of his subjects who have still to be educated for freedom. Even if for the time being nothing can yet be achieved by the people, everything should certainly be done now for the people whose hour will surely come one day. Even in the state in which, according to the doctrine of dialectical materialism, society is developing towards socialism, it is nevertheless the party which sees itself as the driving force and instrument of the working class which it governs; but the dictatorship of the proletariat achieved by the state is not an end in itself but is defined and limited by its goal, namely, the total development of society; the rise of the new society is also to be the end of the old form of the state, so the communist doctrinal system assures us.

In countries with a rapidly changing economic structure, the end of colonialism has in some cases led to a theory and practice of state direction which can also be understood as illustrating the pattern of a guardian state. Because of the extreme diversity of political awareness among the people, the absence of familiarity with democratic forms and usages at a time when there is a pressing need to introduce measures essential for the survival of the whole people, heavy responsibilities were forced on to the state's leaders. It was necessary first to create and establish political parties with some experience in the exercise of political responsibilities, acquired through traditions of democratic initiative and leadership. Often it is only the military power structure which is already effective enough to introduce overall political planning. In these conditions, it is not surprising that here again the state will justify its ordering only in terms of guardianship. The only really effective trustees of power capable of assuming political responsibility prefer to initiate and put into operation, as proxies for others in both planning and development, the programs which alone make possible the survival of the whole people and the creation of the conditions for the hoped-for future order which will be based then, however, on the participation of all, on the foundations already laid.

This clearly demonstrates the general problem of all state leadership which

sees itself in élitist terms as guardian of the whole society: who is to legitimate, who is to check the guardians themselves, especially to ensure that their guardianship really strives for the maturity of those in ward and therefore for the speedy termination of this wardship? We have countless historical examples of dictatorships which, planned as guardianships, instead of coming to an end in time, have degenerated into unending tyrannies. Few rulers, moreover, have had the greatness to abandon their official power and to step down once the limits of that power were reached. And the same applies to the use of power and the character of established law in a state which sees itself as champion of a hoped-for future over against a not yet mature present. A law of this kind and an exercise of power of this kind will try to legitimate itself by the hoped-for future just as in its objectives it concentrates on the analysis and evaluation precisely on the historical situation at any given time; this can lend it the grand sweep of a historical development. But the question will arise: at what point can the present time of human beings living their unique life now and only now be sacrificed to the plan and the hope of a distant and uncertain future?

The state of Hitler's Germany, dominated by a fascist ideology, does not seem to me to fit into any of the patterns so far presented; even when we try to apply one of these three basic ideas to Hitler's Germany, this idea is inevitably distorted. The state of Hitler's régime can in fact be illuminated by what I will call - using a label which in itself is rather opaque - the "Gladiator State" model.

The gladiator steps into the arena as a warrior to fight with and to defeat other warriors; the struggle as such is his business, the victory as such his goal, the destruction of the opponent is accepted as a necessary means and the warrior's own defeat as a marginal possibility. In the Gladiator State, the state yields to this claim of the struggle and to hope in the victory of the ideology which has captured the state from within and turned it into a Gladiator State. Domestic sovereignty and the external expansion of power are sought not for the state's own sake but for the sake of the principle which governs it. Such a Gladiator State can no longer consider itself the father of its citizens, for its order is no longer a value in itself but henceforward merely an instrument to increase the domestic power of the dominant ideology and its offensive power externally. Nor does such a state any longer have a maternal dimension, for it has no intention whatever of ministering to its members but wants only to possess and if necessary to sacrifice them for victory in the struggle. Finally, still less is it guardian of its citizens; for it establishes no limits to itself in the future, acknowledges no obligation whatever to give account of itself, but regards itself as total and final.

Nor is it surprising, therefore, that in a Gladiator State the idea of law is reduced to an instrument in the service of the ruling ideology. When this ideology uses the distorted notion of the nation to camouflage its tyrannical claims, it can (as the Hitler régime did) invent the slogan that law is only what serves the nation; but this service to the nation turns out to be the will of its Führer, concerning which no questions are to be asked. Then, however, power is no longer in the service of the law nor is it any longer limited in any way by law. Indeed, on the contrary, every step of unlimited power downwards is matched by an unlimited submission upwards to an ideology of some kind or other and behind this ideology, in the last analysis, is the unlimited lust for power of a single individual who destroys both the state and the law in the pursuit of his or her delusion.

III.

In face not only of this perversion of the state and the law but also of the diversity of possible views of these institutions, the obvious question for Christians is what contribution is possible here from their discussion with the Bible. What Christians have thought and written about the state and the law from the standpoint of their faith in nearly two thousand years of Christian history would easily fill a whole library. It is not my purpose here even to indicate the diversity of views and I leave to scholars an assessment of this debate. On one basic point, however, unanimity is found in the doctrinal view of the main line churches and of Lutheranism in particular. Keeping to the style of our earlier comparisons, this point may be summarized as follows: In accordance with God's directive, the state and the law can help human beings to their salvation. It is their meaning and mission to do so. They can indeed botch this mission and even where it is kept clearly in view, it can be known and fulfilled by human beings only in a fragmentary way. This need not discourage us from giving this help in the divine mission of the world's salvation for the sake of Christ even in the distinctive and unique form of life in the state and the law.

By way of illustration here I shall indicate just a few of the many traces and evidences of this view of the state and the law as typical examples. The first encounter between the descendants of Abraham and a state in the present sense is found in the Joseph story (Genesis 39-50). "God meant it for good...that many people should be kept alive, as they are today" (Gen. 50:20). But this life-saving deliverance comes about through the Egyptian state and its precautionary planning, collecting and distributive provisions, under the initiative, of course, of God's own interventions and guidance (Gen. 41:25 and 48 ff.). Only when people no longer knew Joseph, did the same Egyptian state become an example of how the divine commission can be betrayed in this particular area, namely, the mission to be a helper to redemption. Organized by royal decree and legislation, state power becomes not simply the exercise of authority but an instrument of genocide by the command to slaughter the children and by murderous forced labor (Exodus 1-2). But the state and the law are not abolished for the redeemed people when God leads them into freedom with signs and wonders. On the contrary, by inspired commandments, renewed force is given to the basic rights of the people of God, as a divine sign for the world of nations (Ex. 20 ff.; Deut. 4:5-8).

The preaching of the prophets is full of warnings to the people in power in state and the law not to mistake their obligation to this divine mission. Clear examples are provided by the story of Naboth's vineyard (1 Kings 21) as well as by the "Vineyard Song" of the prophet Isaiah (5:1-7) and the subsequent preaching of repentance by the prophets of the truth that state and law stand under the promise of God. On the other hand, God's gracious promise is also proclaimed when the young king Solomon is promised God's assistance in response to his prayer for his judicial office and when the effectiveness of this assistance is shown in Solomon's amazing judgments (1 Kings 3:5 ff.).

In the New Testament, the trial of Jesus shows us very clearly the seriousness and danger of the destiny of state and law as helpers towards human redemption. The Roman Governor Pilate's duty is to pronounce justice on behalf of the state, and this indeed he does when he finds no crime in the accused Jesus. But when he allows the innocent Christ to be crucified he

fails in his divinely assigned mission to be a helper to salvation. Even in this failure, however, in this failure above all, he cannot prevent the inscription he places above Christ's cross from proclaiming God's gospel nor the sentence of death he pronounces from being the sign of God's saving love (Jn. 19:4 ff.). So for Paul, the authority of the city of Rome and all the official rulers of his time become divinely willed institutions. Christians may and should subordinate themselves to the power of the state even when the latter requires them to pay taxes and they can even respect God's mission in the power which goes with the state's office, symbolized in the sword (Rom. 13:1-7). Consistently with this, Paul himself, in face of illegal prosecution, claims the right to a Roman trial guaranteed him by the law (Acts 22:25 f.; 25:6 f.). In keeping with this tradition, Christians are also exhorted to pray for rulers, from whom they hope the securing of a quiet and peaceable life in freedom of faith (1 Tim. 2:1 f.). The other pole to this hope, of course, is expressed in the warning that even the state, the state in particular, with its order and legal power, can become the "beast from the abyss," the persecutor of the community of Christ, until God's eschatological intervention puts an end to the martyrdom of His witnesses (Rev. 15-19).

There is, however, in the New Testament another qualifying reality over against law and the state, namely the church of Christ with its distinctive character. The purpose of the directives of the Sermon on the Mount is to persuade Christians not to exploit the possibilities offered by the legal order of the state under which they live in order to bring pressure to bear on their neighbors (Mt. 5:39 ff.). In Gethsemane, Jesus forbids the disciples to defend him, their Lord, with drawn sword (Mt. 26:51 f.). So far as concerns the legitimate force of the rulers, the order which prevails in the church should contradict the pattern of the states of this world: "But not so with you!" (Lk. 22:25 f.). In keeping with this, Paul forbids the Corinthian Christians to seek legal redress in the courts for their internal community quarrels. Instead, if they are unable to settle their differences even without appeal to civil law, they should seek an amicable and fraternal solution among themselves (1 Cor. 6:1-8). For their real citizenship and therefore their domestic law is not here but in heaven, from whence they expect the return of Christ which will put everything to rights (Phil. 3:20 f.). Thus, there may well be differences of opinion in the Christian church; but they are not to be decided by compulsion of the kind used in the state's exercise of force. Even here, of course, attempts are made to establish orderly rules of procedure (cf. Mt. 18:15-18; 1 Cor. 14:40; 1 Tim. 5:19 f.). The history of the primitive Christian community shows, however, that, in the last analysis, frank discussion until a solution is reached which accords with the Spirit of God takes in its life the place which, outside it, is taken by the appeal to the law and to the power of the state to enforce that law (Acts 6:1-6; 15:1-33).

The domestic order of the Christian churches, therefore, where they have kept the freedom to have a constitution congruous with their true character, becomes a constant reminder of the limits of the state and its legitimate force. This is not to deny the dignity and respect due to the state and its law in accordance with God's will, so long as they keep within the limits of their mission. But the distinctiveness and autonomy of the divine mission entrusted to the church of Jesus Christ find expression in its obligation to follow its own order, even though it recognizes and honors the conserving will of the same Lord in the very different constitution of the state and its jurisdiction.

On the basis of this interpretation of Scripture, Martin Luther and the Lutheran Confessions after him developed the Doctrine of the Two Kingdoms or Governances and saw in this doctrine a major element in its ethics of state and law. It is not my intention to present this point of doctrine here with illustrations from the sources, nor to comment on the conflicts and critical questions connected with it. For our present purpose, however, in respect of the problem of the use of force in state and law, one particular feature of this Two Kingdoms Doctrine seems especially helpful. It is one and the same God who, out of the same love for human beings and with the same purpose of their eternal salvation, is concerned with human beings in two different ways. In virtue of His law He establishes over them the power of His orders, and with them, therefore, the power of the secular authority in this world era; in virtue of the gospel, He also leads the same human beings through the service of His church to faith in the saving grace manifested in Christ. Thus the same God is at work in different spheres in different ways with the same final goal in view. One of the differences here lies in the fact that, as arranged by God, the secular authority also has the office of exercising authoritative and legitimate force in the defence of rational justice and law in this world era. Princes and judges, but also soldiers and executioners, are therefore in the service of God's régime of the left hand, when they apply their due force within the limits of the law against wrongdoing and breaches of the law. As Luther says, they can therefore "be in the spiritual class" just as much as members of other callings, including those of the church. Indeed, especially if they are Christians, they can understand their office particularly well in accord with the truth of the Christian faith and take comfort in the divine commission even in face of the grim aspects of their work. It is important to note here, of course, that the right to use force is theirs only for the purpose and within the limits of the divine government of this world. A tyrant who transgresses these limits cannot claim that his evil designs are Christian obedience. On behalf of the threatened neighbor, therefore, Christian resistance to a particular authority which is acting unlawfully is not excluded as a borderline possibility. After much soul-searching, even Luther learned and taught this, when it was a question of defending princely rights against imperial violations of the law.

It was certainly no part of the intention of the Two Kingdoms Doctrine to exempt the official realm of the secular authorities and their mission entirely from the scope of the influence of Christian proclamation and the conscientious responsibility of Christians. The action of God through the orders of the world and the action of the same God through the gospel cannot be split up into two parallel and unrelated spheres, any more than the right hand and the left hand can be unrelated to one another under the direction of the common head of the whole body. The distinctive feature of this relationship lies only in the fact that each hand remains - with its own distinctive task - connected with the other precisely and exclusively by the common head. The exemption of the secular authority from church hegemony and the recognition of its distinctiveness does not mean that it is exempt from responsibility to the word and will of the Lord who rules state and church together.

This is illustrated very clearly by the use and limits of the state's use of force. This right to use force the state enjoys even when Christians renounce such force among themselves in the life of the Christian congregation and in their relations with each other. But this force is not to be arbitrarily used nor are its means unlimited. For it has to be justified in the light of the basic purpose of all state order, namely, to be a helper

to humanity's salvation. If this basic mission is violated by the organization and use of force by the state, this is in defiance of God's will and order. The task of the church in that case is to condemn such abuse clearly in sermons and by pastoral action and to create a quiet and comforted conscience for resistance to such abuse, even including, if need be, the resort to counterforce. In the church struggle of the Confessing Churches in Europe against the Hitler régime, the Norwegian Bishop Berggrav used the analogy of the need to forcibly restrain a drunken driver. And in May 1934, in the 5th Thesis of its Theological Declaration, the Barmen Confessional Synod not only proclaimed that "the state has by divine appointment the task of maintaining law and peace...by means of the threat and use of force" but also that, precisely on this point, the church has to remind "both rulers and ruled alike" of God's commandment and promise and of their own "responsibility" in this matter. If, in spite of the downward pull of all current views of state and law, the church sticks to this biblically documented task, Christians will also find in it guidance and help for the difficult questions of force and its limits.

What does all this add up to in practice for someone who, under pressure from the state ideologies on all sides, seeks an answer to the questions of law and force? As I see it, the vision derived from the New Testament and from listening to the Confession of Faith can in the first place help him or her to maintain the necessary sobriety. The state, the law and the legitimate force used by the state are no more numinous entities than either a refusal to obey them on conscientious grounds or the use of counterforce. They have no inherent substance which would compel the opposite party to silent acquiescence. They are instruments whereby, in responsibility before God, we have to perform tasks on behalf of human beings. No more and no less. Soberly, as children of God, we are entitled and constrained to ask them: Are you doing justice to your mission and task? If a positive response to this question is possible, we shall be thankful. When our cooperation is required, we shall give it. But when we have to obey God rather than men, we shall obey the higher obligation even if the lower obligation, misused, seeks to use violence in the name of the state and the law in order to compel us to obey. But this Christian sobriety will be joined with trust and confidence. Neither the state nor its law and its force can, of themselves, say or produce what this world requires for survival. Those who realize how little we human beings can achieve in this field and how fragile our efforts will always remain, are threatened by a disabling sense of hopelessness, indifference and cynicism precisely in respect of the state, the law and the force used by the state. But children of God can believe and will try step by step to show that even in the problems of state, law and force, we human beings are not left merely to our own devices. God promises His help to put things to rights, when He makes us jointly responsible for something. Where, moreover, are sobriety and confidence more necessary than in states which, oppressed by their urgent tasks, need the help and cooperation of all their citizens? By the exercise of state authority as in the performance of joint-democratic responsibilities, but also by the acceptance of legitimate state compulsion and by disobedience to force which illegitimately transgresses the limits of the divine mission of the state, it will be seen if Christians in the state are living by the ideology of an outdated state model or by the fullness of the divine gospel entrusted to them.

For further reading:

The problem examined in this essay has been dealt with in scholarly presentations of Protestant ethics in recent years: for example, by Ernst Wolf, Sozialethik > Theologische Grundfragen, with the collaboration of Frieda Wolf and Uvo A. Wolf, ed. Theodor Strohm, Göttingen 1975, esp. pp. 226-342; René Marcic, Rechtsphilosophie > Eine Einführung, Freiburg 1969, in which basic questions of law are discussed in the light of ethics; Werner Maihofer (ed.), Begriff und Wesen des Rechts, Wege der Forschung LXXIX, Darmstadt 1973, in which an important set of essays on legal theory are presented.

On the problem of the constitutional state compare the collection of views of a whole series of authors in Ethel L. Behrendt (ed.), Rechtsstaat und Christentum, Vols. I-II, Munich 1982.

Dictionary summaries of scientific discussions and further bibliographical references are found in the well-known theological dictionaries and, above all, also in Hermann Kunst, Roman Herzog, Wilhelm Schneemelcher, Evangelisches Staatslexikon, Stuttgart-Berlin 1975 (see "Recht," cols. 1953-1963, Ernst Wolf, Gerhard Sauter; "Rechtsphilosophie," cols. 1972-2017, Reinhold Zippelius; "Rechtsstaat," cols. 2041-2052, Richard Bäumlein; "Rechtstheologie Luthers," cols. 2052-2083, Martin Heckel; "Staat," cols. 2432-2480, Martin Draht, Wenzel Lohff, Joachim Staedtke, Joseph Listl; "Staatslehre, allgemeine," cols. 2509-2513, Hans Ulrich Evers). Reference should also be made to Evangelisches Soziallexikon, Stuttgart-Berlin 1980 ("Recht," cols. 1042-1048, Detlev Dahrman, Hans Dombois; "Staat," cols. 1248-1263, Ulrich Scheuner, Manfred Jacobs).

Texts on the history of the view of state and law in the development of Protestant doctrine are collected and introduced by Manfred Jacobs, "Die evangelische Staatslehre," Göttingen 1971, in Quellen zur Konfessionskunde, Series B, vol. 5.

On Luther's doctrine of law and state reference should also be made to the suggestions of Wilhelm Dantine, Recht aus Rechtfertigung, Collected Essays on the Theology of Law, ed. Albert Stein, Tübingen 1983.

Albert Stein, Evangelisches Kirchenrecht, Neuwied 1980, is a textbook in which an attempt is made to present the legal order of the Christian congregation as a community freed from external compulsion in accordance with the directives of its Lord.

Translated from the German by
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A RIGHT TO RESIST?

Critical Questions of a Constitutionalist

Martin Kriele

The question of the right to resist has flared up once again in discussions in the Federal Republic of Germany. There have been invitations to resist the proposed national census, though these certainly lost their momentum once the Federal Constitutional Court agreed to examine the constitutional character of the National Census bill and temporarily postponed the introduction of this law. Resistance is being planned to the arms build up planned by NATO in the event of the possible failure of the Geneva disarmament talks due to the intransigence of the Soviet Union.

The fundamental question is how far resistance to the state and its decisions can be justified.

First of all, let me recall the classic doctrine. This distinguishes between the use of force by the state to ensure law and order and the case where the state's authority is itself a system of injustice. In the former case, resistance to the state's use of force is neither legally nor morally justifiable; but in the latter case, if the state is itself a system of injustice, resistance to it can be justified, at least in certain circumstances.

In constitutional liberal democracies, therefore, where power is shared and human rights respected, resistance is not justifiable at all. The destruction of the whole system would put an end to all freedom and equality and expose human beings to the lawlessness of a tyrannical régime. But even resistance directed exclusively against isolated measures deemed to be unjust cannot be justified in a constitutional democracy. For the constitution provides lawful ways whereby injustices may be eliminated: for example, appeal to independent courts, democratic reform of the law, political checks, criticism in the media, public protest. If what is regarded as unjust is not altered, this will normally be because the majority and the decision-making bodies legitimized by the majority do not regard it as unjust. What is just or unjust is a matter of democratic debate and for that very reason requires democratic decision. The democratically authorized organs - parliament, government, administration, judiciary - are called to make this decision, each in accordance with its constitutional competences within the framework of the constitutional processes and with the protection of minorities constitutionally guaranteed. Resistance would mean transferring the competence to make a decision from the constitutional organs to competing social groups. Who then will carry the day will depend on who is more powerful, more cynical, more willing to employ violence, and, above all, on who has influence in the media and is able to manipulate the masses. In the extreme case, resistance leads to universal strife, to civil war, in which the law of the jungle prevails and where might is right. Civil war always ends up in an authoritarian system. The legitimacy of individual state measures follows necessarily, therefore, in a constitutional democracy, from

the legitimacy of the constitutional system as a whole.

A right to resist, therefore, is recognized by the Basic Law of the Federal Republic of Germany only in defence of the constitutional order when the latter is threatened either from above, by a putsch or coup d'état, or from below, by a rebellion or revolution. This was based, on the one hand, on the experience of the Kapp Putsch of 1920 which was put down with the assistance of a general strike by the unions, and, on the other hand, by the experience of Hitler's seizure of power, which only succeeded because of the absence of any effective resistance to it. The Basic Law lays it down, therefore, that "all Germans have the right to resist anyone attempting to abolish the constitutional order, providing other solutions are not available." There is a right to resist, therefore, in defence of democracy, but not against democracy.

It is different in the case of tyrannies, i.e. in dictatorships, foreign occupations, racist régimes, totalitarian systems. According to traditional doctrine, here even tyrannicide is justifiable in natural law, provided it does not provoke some greater evil but is aimed at the establishment of a just state. If the system as a whole is unjust, it cannot automatically legitimize even individual laws or legal measures; these can, of course, be legitimized on two grounds: firstly, on the principle that, so long as an unjust system cannot be overturned, life in the relative order of the system may be a lesser evil than unsuccessful resistance, and, secondly, on the ground that even in a tyranny some rules are found which are also found in a comparable form in constitutional systems. Their legitimacy derives in that case from their inherent rationality and not from their source in the actual political system. Tyranny can claim no sort of legitimacy in its own right. The state is obeyed from fear and people have, in principle, a right to resist.

The contemporary resistance movement in the Federal Republic of Germany does not differentiate between democracy and tyranny. Resistance is thought to be equally justified in a constitutional democracy as in a tyranny. The sole difference is that resistance is relatively easy in a constitutional democracy but not so in a tyranny. There is a broad movement of resistance, for example, in the Federal Republic of Germany, but not in the German Democratic Republic. How is this distorted thinking to be explained?

Problems of legitimacy arise today not so much from Marxist indoctrination but rather from a rebellion against justice springing from a sense of justice. Anything which is felt to be a justified claim is to be implemented immediately. The democratic system of procedures, competences and rules is felt, above all, to be an obstacle to the immediate realization of justified demands. To give a few examples:

1. It is often asked why a majority of voters and deputies should carry the day if a minority is surely in the right, e.g. the 8 % "Greens" in the Hesse Provincial parliament in the right against the remaining 92 %. The only possible answer is that the "others" likewise feel themselves to be in the right. Who is to decide? Answer: either force must decide, or a procedural rule, i.e. the majority principle. But this answer is hard to get across.

2. There is likewise a failure to understand the deputy's free mandate. The elected deputy is not tied to instructions and directives. This misunderstanding is found not only among the "Greens," e.g. in the form of

"grassroot democratic" ideas and in the rotary principle, but also in the major parties; e.g. in the notion of making binding promises prior to election rather than declarations of political intentions, or in the growing practice of commitment to the imperative mandate of party conferences (as e.g. Vogel on the question of achieving parity of armaments).

3. The competences of parliament, government, administration and judiciary seem to be just as little understood as the democratic processes. Above all, however, people also find it hard to understand why grassroot groups or municipal councils should only be permitted to cooperate within constitutional limits: in elections, referendums, hearings, parties and in various forms of the exercise of influence on public opinion, etc. but not by direct fiat.

4. If democratic processes and competences are questioned they can no longer be the basis even of the law's legitimacy. The validity of the law then depends on the immediate intelligibility of its justice content. But precisely this is what is in dispute. The final decision as to the law's validity is then made not by the legislative bodies but directly by the citizens themselves, some of whom accept the law but others are critical of it and reject it. Even the authorities have recognized certain privileges in their application of the law: anyone who happens to be young, "Green," or left wing, is not subject to the law in the same way as the rest; for example, in the toleration of breaches of law in schools and universities or in the case of illegal occupation of buildings (the so-called "Berlin argument").

5. Doubt about the law's validity extends, of course, even to the obligation of the judge to uphold the law. The judge should, on the contrary, independently of the law, seek to ensure the victory of the socially weak in any given instance, e.g. the tenant rather than the landlord, the employee rather than the employer, the applicant rather than the ministry officials, the violent demonstrator rather than the police chiefs, etc.

6. Deeply suspect, above all, however, is the modern state's monopoly of force. The monopoly of force in a constitutional democracy is intended to enforce the settlement of conflicts by peaceful democratic and legal processes. But now it is seen as an instrument whereby majority politicians who have lost their credibility try to ensure the continuation of their disastrous policies. The distinction between legitimate state force and illegitimate counterforce depends, of course, on recognition of the law's legitimacy and therefore on the legitimacy of democratic processes and competences. In the absence of such recognition, even the force employed by the democratic state is regarded only as a form of violence differing from the Nazi régime of violence at most only in intensity and degree but not in principle.

7. The logical upshot of all this, of course, is the affirmation of the right to resist. The more dubious the legitimacy of the decisions made by our constitutional instruments becomes, the more the gap in legitimacy is filled by an immediate sense of justice which legitimates resistance. The use of police force to break this resistance then becomes illegitimate violence. The function of "counterforce" against injustice passes then from the state to the resistance movement. Appeal is made, of course, to the compromise formula that "all force is inherently illegitimate" whether it has legal backing or not. All that is now needed is to limit the concept of "force" to action which infringes the physical integrity of the human

person, so that illegal restrictions on the rights of others which do not come within the category of such action now acquire validity as "non-violent resistance," e.g. traffic blockades, political strikes, constraints on administrative agencies, etc. Account is no longer to be taken of other people's rights which are violated, so that the deployment of police against non-violent resistance cannot even serve to protect the rights of others but is itself seen as illegitimate violence. Even Günter Grass urged the police to "refuse this task" and mocked the reservations of the "ideal democrats" (*Die Zeit*, February 4, 1983, p. 39).

In short, the decision as to what is legitimate and what is illegitimate is no longer taken by the constitutional agencies of democratic legislation, government, and judicial decisions, but by the most influential opinion makers in the mass media. But the art of rhetoric no longer serves to influence public discussion and to pave the way for the democratic decision-making process; instead, it directly determines the decisions and thus ensures the triumph of the sophists over the democratic sense of justice.

The art of rhetoric culminates in the assertion that we have to make good today the resistance we failed to offer in 1933. For example, in the view of Günter Grass, Hitler arrived in power legitimately; in the same way, a "democratically legitimate breach of justice" must run its course for us today, one which will set out to abolish the constitutional order and, since no other solution is available, all Germans, according to section 4 of Article 20 of the Basic Law, have the right to resist. The experience of 1933 teaches us that this right is at the same time a moral duty. The distortion of thinking is complete. The right to resist in defence of constitutional order is turned into a right to resist in opposition to the constitutional order. The martyrs of the struggle against Hitler, who paid for their resistance in the concentration camps or with their lives, are turned into exemplars for a picturesque challenge to constitutional organs democratically authorized and bound to liberal laws, a challenge which is filmed for television and commented on sympathetically. A double satisfaction, therefore: the gesture of heroic resistance is combined with the assurance of basking in the warm air of riskless approval!

Günter Grass's speech is given here only as an example, since in his case it is possible to object that what we are dealing with here are simply the familiar mental escapades of young and immature minorities. Grass was speaking in the Pauluskirche, of all places, as if his utterances were firmly in the tradition of 1848; and he was speaking at, of all things, an SPD rally commemorating Hitler's seizure of power, as if the overt repudiation of the destruction of democracy at that time could today give legitimacy to resistance to a federal government unquestionably faithful to the constitution. *Die Zeit* - which always reflects the spirit of the times - gave Grass's speech wide publicity, an indication that this was no marginal phenomenon but rather a destabilization of democratic common sense reaching down deep into the very heart of the political and intellectual establishment. It has become the latest fashion in films and other media today to derive from the resistance to Hitler a moral right to resist our democratic system.

How was it possible for this to come about? There is a confluence here of three currents.

Firstly, the worldwide youth movement of 1968 which today represents the middle aged generation which influences the younger generation by education

and the pressure of the media. The characteristic feature of this 1968 generation is an exaggerated self-consciousness with its source in a subjective morality. Many of the young people affected by the 1968 movement find it increasingly difficult today to accept that citizens with a different political position have any right to claim the same democratic right to political cooperation. We are paying the price today for the attempt then and now to deal educationally and educatively with adult young people by tolerating their infringements of the law. This educative approach is now proving to be counterproductive. It has obviously hindered rather than helped the development of mature citizens and democrats in certain vital respects.

Secondly, this youth movement combined with the conditions of a markedly German tradition of a contradictory attitude to law and justice, oscillating between fanaticism and a spirit of submissiveness, between romantic subjectivity and ready submission to objective power relationships, between lawless anarchy and an equally lawless state violence. The postponement of a constitutional democratic state in Germany, especially the failure of the 1848 revolution, caused the underdeveloped sense of law to turn into the German sickness. In the youth movement of the early years of the twentieth century, this already militated against the recognition of the Weimar constitution. Morally, of course, there is a considerable difference between opposing the principles of justice to the sheer immediacy of an antisemitic national spirit, as at that time, and opposing them to the sheer immediacy of a right to resist which is oriented on nobler and more intelligent goals, as today. Nevertheless, that tradition continues to live on in the negative attitude to the law of a constitutional democratic state.

Thirdly, the idea has also gained ground in recent years that the policy of détente required us not only to recognize internationally the equality of rights among the states but also to assume the moral equivalence of the political systems in East and West. Relativism - i.e. the equating of an arbitrary minority régime with a law-abiding majority democracy - seems to many to be even a philosophy of peace.

The difference between the constitutional democratic state of the West and the tyranny of the East ceases to be fundamental and becomes no more than a matter of degree. According to Günter Grass, it is simply that resistance "here entails the lesser, there the greater risk." But the truth is that attempts there to freeze the military bases of the Warsaw Pact required, as in the Nazi period, readiness to suffer martyrdom, and have inevitably been ineffective. In totalitarian systems, resistance demands courage, dignity and morale in a hopeless situation. In freedom-loving democracies, on the contrary, resistance is fun. It entails only small risks for those directly engaged in it, and none at all for rhetorical firebrands, so long as they confine themselves, like Günter Grass, safe in the legal security of our state and in virtue of the American guarantees of the defence of Berlin, to encouraging others to engage in resistance campaigns.

Subjective immediacy's rebellion against the law takes as its theme today the twofold NATO decision: rearmament would mean nuclear war; its refusal irrespective of Soviet military preparedness would mean peace. In Egon Bahr's view, rearmament may encounter such resistance that it will be impossible to carry it out successfully at all. Günter Grass justifies this as follows: the major powers pursued the "concept of calculated genocide," Germany "in its two states situation of dependence" is "planned as the scene of nuclear war," both German states are - "equally!" - limited in

their sovereignty, fidelity to alliances in questions of armaments is "cowardly ingratiating," the NATO twofold decision is comparable with Hitler's seizure of power, and so on and so forth!

These incredible slogans are not Grass's invention. All he does is to reproduce uncritically what all of us are forced to read and hear in familiar places. But why does the filter of intelligence suddenly fail? Rhetoricians live by the resonance: they do not speak in this way unless they can count on applause and publicity. An emotional readiness to agree must be present, a latent search for the handy theme for the resistance movement which exploits such opportunities as are offered it.

The history of the Federal Republic of Germany has been accompanied by an undercurrent of protest always on the look out for fresh occasions. These were afforded, e.g. by the currency reform, efforts to change the codetermination of the mining industry, the establishment of the federal armed forces, the introduction of conscription, membership of NATO, equipment with nuclear weapons, emergency regulations, university teaching posts, decree on extremists, the building of nuclear power stations and launching pads, housing policy. Always, in fact, there has been a point of connection to latch on to and to lend a semblance of moral justification to protest, and occasionally this even had a core of legitimacy. On the whole, however, it was a case of exaggerations, often of plausible inventions, in any event, of artificially created focal points for moral indignation lacking any sufficient moral basis.

In order to intensify a wave of protest to the point of militant resistance, it has to be asserted that it is a question of life or death. The opportunity for this is afforded by NATO's rearmament plans in the event of a Soviet Union refusal to withdraw its nuclear threat to Western Europe. The case is presented in a way which suggests that rearmament does not help to restore equilibrium between East and West or persuade the Soviet Union to enter into genuine negotiations but rather invites the nuclear inferno.

In reality, the cause of peace is quite obviously not served by proclaiming resistance to NATO rearmament. On the contrary, it is more likely than not to endanger the cause of peace, for it signals to the Soviet Union that it need not negotiate seriously and should in no circumstances weaken, since people will be working for the unilateral weakening of the West. Worse still, it is likely to persuade the Soviet Union that we can be blackmailed, that we are responsive to its propaganda, and that it can without risk outbid us by peremptory demands. It is hard to conceive of anything more dangerous for the West.

All this is obvious, but is not consciously taken into account by the resistance movements. But if a political movement cannot be explained rationally in terms of its own arguments, we have to look for psychological explanations.

What comes to the surface in the resistance movements, as in all previous protest waves, is a superiority complex, the assurance of belonging to an intellectual and moral élite. The democratic majority is limited intellectually and insensitive morally. It is in constant danger, therefore, of inviting disaster. Being better equipped to make moral and political judgments, one has a duty to avert this disaster. The minority must therefore compel the majority to share its better insight. In other words, we have here a fundamentally undemocratic attitude.

If this attitude were right, then all the majority democracies would undoubtedly be well on the way to decline and could only be saved from disaster by an authoritarian elite. In reality, however, this claim is usually only advanced in order to justify resistance. One frivolously puts it about that here is a question of life and death and that resistance is therefore mandatory. Examples of this are to be found in the history of the Weimar Republic. We read, for example, in a book which had a wide circulation at that time:

When a whole nation is being led to its downfall by the resources of government power, rebellion is not only a right but even the duty of every single member of that nation... Human justice knows no constitutional law.

These words sound just as if they came from the advocates of the resistance movement in the Federal Republic. They are in fact the words of Adolf Hitler in Mein Kampf (p. 104 f.)!

The thing we have most to fear is a fearful retreat from the instruments of the state. This would not only put our membership of the Western community in jeopardy but would also be an invitation to increasingly powerful waves of resistance in ever new areas of concern. The constitutional democratic state can achieve maturity only if the state's instruments act on the basis of an unimpaired sense that they are defending our democratically legitimated law, a law based on the fundamental principle that everyone alike has the same law and is in the right not only over against totalitarian doctrines but also over against the claim of subjective moralism. Unresisting acceptance of arbitrary government in 1933 and resistance to democracy in 1983 - these are two sides of one and the same coin bearing the inscription: "The law of the constitutional democratic state does not deserve the effort of its citizens."

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VIOLENT REBELLION

Luther's Point of View and Its Application in a Finnish Crisis

Frederic Cleve

In this paper I propose to give as coherent an idea as possible of Luther's approach to violence and non-violent methods respectively as means to achieve change or to keep order in society. The presentation is based on a study of Luther's most important statements on these issues. Luther's views on peace and war have been thoroughly studied, but his ideas on violent and non-violent methods for change presuppose a somewhat different approach. In this context an exposition of Luther's statements will be given and an attempt made to explain them from a theological point of view, but I do not intend to pose questions as to how Luther's ideas might be applied to social conflicts today, nor to put forward suggestions as to what their practical value might be in our present situation. I intend to illustrate the exposition by means of an historical example: the debate on the possibilities to counteract illegal political measures that arose and was intensely pursued during a serious crisis in Finland at the beginning of this century. This debate made use of a good many theological arguments that followed Luther's views on these matters fairly closely and pointed to various ways of applying his ideas in concrete situations.

But let us look at Luther's arguments first. Luther approaches the problem primarily as a theologian. Such an approach to matters in general seems to be typical of his disposition and it also gives his statements their poignant intent: Luther appeals to people's consciences; he wants to influence their relationship to God, and his chief concern is to show them the road to eternal salvation. Luther makes frequent statements about violence and non-violence, but their interpretation becomes difficult unless the precise theological impact of their context is taken into account. The theological contexts in which these statements occur cover a wide variety of important theological issues. Among these we find Luther's view of the human being, God's struggle against the devil, the question of the human being's conscience and eternal salvation, the interpretation of God's commandments and sacred institutions, justification and the doctrine of the Two Kingdoms. In his work *Ob Kriegsleute auch in seligem Stande sein können* Luther states: "Since the sword has been instituted by God in order to punish evil people and to protect good people, and to maintain peace (Rom. 13:1, 1 Pet. 3), it has also been fully sufficiently proved that warfare and killing and everything else that the due course of a war brings along is instituted by God. What else is war but a punishment of wrong and evil? Why do people make war, unless to establish peace and obedience?" (1)

The word "sword" in Luther's text obviously refers to violence against individuals, against groups of people and against nations and peoples. We also notice in this passage that Luther uses the word "sword" in a manner that has a very similar ring to the way in which he uses "the word of God" and "the sacraments." The common element is the institution: the sword,

like the word and the sacraments, has been instituted by God. The sword has been instituted for a specific purpose, just as the word and the sacraments have their ordained uses. There is also a special office, instituted by God, whose function is to use the sword legitimately, much in the same way as there is an office entrusted with the preaching of the word and the distribution of the sacraments, and they are both specially instituted for their particular purposes by God. One may therefore assume that there is a special word of institution pertaining to the sword, just as the sacraments have their words of institution, and that the word of institution related to the sword sanctifies the sword and indicates its proper use. Consequently, it becomes possible to talk about a proper and an improper use of the sword, to set apart its use and its abuse, and finally, to indicate those who are subject to the proper sway and authority of the sword. Yet, even if the structure of Luther's way of discussing the sword is very much like the structure of his discussion of the word and the sacraments, there is, of course, a thorough difference in content and purpose. The sword on the one hand, and the word and the sacraments on the other, differ from each other in that they have different words of institution, different offices, different purposes and different target groups.

The words of institution that Luther refers to in talking about the sword are to be found in Gen. 9:5-6: "For your lifeblood I will surely require a reckoning; of every beast I will require it and of man; of every man's brother I will require the life of man. Whoever sheds the blood of man, by man shall his blood be shed; for God made man in his own image." The words of institution pertaining to the sword thus belong to the covenant God made with Noah after the flood, but Luther suggests that God's purpose as regards the sword was known before the flood. That this was the case can be seen in Gen. 4:14, where we learn about Cain's complaint: "Behold, thou hast driven me this day away from the ground; and from thy face I shall be hidden; and I shall be a fugitive and a wanderer on the earth, and whoever finds me will slay me." According to Luther, Cain's assumption that he will be slain is based on the fact that he has killed Abel. But God abolishes this law of the sword in respect of Cain when he states: "If anyone slays Cain, vengeance shall be taken on him sevenfold" (Gen. 4:15). Luther also finds the words of institution relating to the sword confirmed by God in Ex. 12:21, where we learn: "Whoever strikes a man so that he dies shall be put to death." Jesus' admonition to Peter, "Put up again thy sword into his place: for all they that take the sword shall perish with the sword," is given a similar interpretation by Luther. Luther finds his interpretation confirmed by the fact that St. John the Baptizer did not require the soldiers to give up their profession; he only asked them to be content with their wages (Luke 3:14). His interpretation also finds support in the fact that the first gentile to receive the Holy Spirit and be baptized was a Roman officer (Acts 10:34 ff.) (2). And in St. Paul's letter to the Romans Luther finds a third indication in support of his interpretation of the sword: "Beloved, never avenge yourselves, but leave it to the wrath of God; for it is written, 'Vengeance is mine, I will repay, says the Lord'" (Rom. 12:19). Luther interprets this passage as a very severe prohibition that strictly forbids anyone to avenge injustice done to him or her personally, but Luther also believes that God himself will avenge the injustice done against this person (3).

If God has instituted the sword, he is also the supreme authority that uses the sword. In his explanation of the first commandment Luther states that anything that we receive from human beings we actually receive from God, whenever events in question are ordained and commanded by God. The created

things are only the hand or the means through which God acts (4). This is something that Luther applies directly to the use of power in mundane contexts. In his opinion God has created the justice there is on earth, and God is its Master and Lord, and also maintains this earthly justice (5). Therefore, the hand that sways the sword is no human hand, but God's hand. It is God who is the executioner, who puts the convict on the rack, who wages war and kills (6). A soldier who fights with a clear conscience has a right to think that his fist is God's fist and his lance is the lance of God. He is justified in thinking: It is not I that cuts and kills, but God and my prince, whose servants my hand and my body are (7).

However, the idea that it is God himself who sways the sword is subject to certain reservations. In the kingdom of this world God himself is hidden behind the means that are used. Therefore every instance of violence cannot be seen as a direct intervention by God. According to Luther, the devil may often be allowed to use violence but in so doing he is simultaneously compelled to serve God in carrying out God's punishments. In this instance the sword is the sword of the devil; yet even so it cannot be used to thwart or overthrow God's plans. In order to be able to refer to the sword as God's sword, the authority using it must use it in such a way that its use corresponds to the intention indicated in the words of institution. This means that the sword has to be used, on the one hand, for the purpose of vengeance and on the other by people who have been entrusted with the right to use the sword by God (8).

The aspect of vengeance indicates that violence can only be resorted to as a reaction to some event that by its nature calls for retaliation of some sort. Luther obviously means that God literally avenges injustice, and that the statement in Rom. 12 confirms this: "Vengeance is mine, I will repay, saith the Lord." Against individuals the sword can be used when a serious crime has been committed, but it must then be a question of something that concerns the outward relations among people, for instance murder, theft or fornication. It must be possible to establish, to investigate, to assess and to pass judgment on a crime, otherwise such a crime cannot be considered to be covered by the jurisdiction of the sword. People's thoughts, opinions and faith are entirely outside the jurisdiction of the sword: it neither may nor can have any sway in these matters (9). In relations between states, violent methods may be resorted to only if the other party has already resorted to violence. According to Luther, no one is ever justified to begin a war. But he states that it is just and meet that the party that first resorts to weapons be conquered (10).

In his explanation of the fifth commandment Luther states that this commandment applies neither to God nor to civil authority. These two agents have not been deprived of the right to kill. In this instance God has conceded a privilege to civil authorities that belongs to him alone; he has not given it to parents. The prohibition in the fifth commandment applies to all relationships between individuals, but not to a civil authority (11). Luther stresses however that a person becomes an individual as soon as he or she is subordinate to somebody else. No individual person has access to the sword: whenever people act singly, God deprives them of the sword and locks it up in prison (12). Only a civil authority and those who serve it can use the sword in their capacity as servants to God. Luther bases his view in this respect on Rom. 13:1,4, and on 1 Peter 2:13 ff. (13).

These two aspects - of authority and vengeance - are the only two instances

where violence is permissible. Consequently, according to Luther, there are rather few situations where one may resort to violence. The sword can be considered God's sword only if a civil authority or the servants of such an authority sway it, and even so, only if it serves to avenge an act that has been established as criminal and judged accordingly. In dealings with individuals Luther's stand inevitably leads to rather harsh punishment, and capital punishment seems a consequence close at hand. But in relations between people and nations the application of Luther's point of view is likely to promote preservation of peace. In addition to the two main aspects of vengeance and civil authority, Luther enumerates a number of other factors which restrict violence. It is not permissible to fight heresy or divergences of faith by violent methods. The power of a civil authority only covers outward conditions of life; it covers only the area that the second table of the law refers to in the lives of the citizens. Civil authority has no right whatsoever to touch upon the citizens' souls, upon their relation to God. God retains sole authority over the area that the first table of the law relates to (14). Luther also emphasizes that reasonable probation should restrict the use of violent methods. According to Luther, civil authority does wrong if it exposes itself and the citizens to dangers and suffering by choosing violence where it could achieve its goals without resorting to violence and bloodshed (15). Nor should civil authority opt for punishing wrongs, if such punishment will lead to further and more severe wrongdoings. Consequently, it has no right to start a conflict or wage a war over trifles, and so fill the country with widows and orphans. Civil authority ought to be lenient and indulgent in small matters. Luther maintains that anyone who lacks these virtues will also lack the qualities necessary to rule over other people (16).

If the sword is to be regarded as God's sword, it must moreover be used in faith and with a clear conscience. A righteous cause for participating in a conflict or a war is not enough. In such a case, participants would rely on what they considered their own right, and not on God's grace and mercy alone. Even in a war a person can stay righteous only by taking refuge in the grace of God. Otherwise it is quite possible that God will punish the warrior's self-righteousness by letting him or her be conquered (17). Both conscience and faith must be firmly rooted in the word of God. In this context this means that the use of violent methods must rest on a clear commandment and a clear mission given by God (18).

Since Luther so clearly restricts the use of violent means, it is quite obvious that he firmly opposes a violent revolt on the part of the citizens. Anyone who resorts to revolt or rebellion will actually wrench the sword out of the prison where God has locked it up, and such a person will eventually turn the sword against those who were appointed by God to have the authority of the sword. Whether there is a valid cause for rebellion or not is of no consequence in this situation. Rebellion or revolt are never justified even in cases where civil authority proceeds to deprive the subjects of their opportunities to hear the gospel (thus depriving them of the possibility to reach salvation), or where civil authority levies heavy taxes and angers the subjects and even in cases where it deprives the subjects of their freedom and makes them bondsmen. On the other hand, people are fully justified to show their discontent with such abuse of power by the authorities. But Luther strongly maintains that it is not permissible to fight for the gospel with weapons nor to turn Christian freedom, which is a freedom of conscience, into an outward political freedom (19). He stresses that rebellion or revolt are forbidden by God. Anyone who becomes a rebel makes himself his own judge and forgets Jesus' words: "Judge not, that ye be not

judged" (Matt. 7:3). A rebel avenges himself and does not allow God to be his avenger (20). According to Luther no rebellion can be justified, no matter how just the cause may be of those who become rebels. Luther states that he will always be for those against whom a rebellion is directed, no matter how wrong their cause might be, and that for this reason he will always be against those who rebel, no matter how just a cause they might fight for (21). He points out that what is just must be carried out in a manner that is just, and rebellion is not the right way of fighting for a just cause. Luther does not find injustice to be a sufficient cause for taking measures. Vengeance is only justified if God has given us the right and the power to punish injustice by means of the sword, if he has entrusted us with it and ordered us to use it. Such right and power have not been bestowed upon rebels (22).

Luther also uses a number of other arguments as well when condemning the use of violent means in a rebellion. His main fear is that rebellion might lead to unrestricted and uncontrollable use of violence, to anarchy and a state where everyone fights everyone else indiscriminately. A mob without firm leaders (he calls it Mr. Omnes) does not discriminate between pious and evil people. Such groups of soldiers will strike out anywhere and this will necessarily lead to obvious and perhaps severe injustice. There is no rationality in rebellion, and it often harms innocent people far more than those who are guilty (23).

For Luther a rebel is worse than a murderer, a robber or ill-doer. Ordinary criminals shun and fear civil authority. Rebels on the contrary rise up against and attack the ruler of the society, and try to snatch his office and his sword. Rebels want to deprive civil authority of its insignia and of its power. They want to be their own masters and not be subject to anyone. But in reality, such rebellions often turn out to replace one tyrant by a great many tyrants. Luther maintains that people cannot observe moderation in these matters and that there are more than five tyrants hidden in each of us (24). This is why any rebellion may end in a fight where everyone fights everyone else. After the peasants' rebellion Luther sketches a gloomy picture of what might have happened if the peasants had been victorious. No one would then have been safe. Anyone might have murdered their neighbors, burnt other people's houses and defiled their wives and children. The peasants' rebellion did not proceed from God nor was it organized. No one relied on or trusted anyone else. The leaders were continuously replaced by new ones, and ultimately the worst element took command (25).

Occasionally Luther also refers to the golden rule as an argument against rebellion: the head of a household would surely not like to be driven away by the people in his house merely because he had behaved badly. No citizen who does not want to be treated like that should participate in a struggle aimed at banishing his prince, even if that prince should happen to be a tyrant (26).

However, the one point where Luther hesitates to apply the idea of legitimate authority concerns the papacy. In the 1520s Luther stresses that the Pope can be overcome by the word of Christ and by the fact that people have become convinced that he is wrong. It is not permissible to use weapons in a fight for the right to listen to the gospel or to defend it (27). Luther maintains this stand as late as the period of the Reichstag of Augsburg, when he fears that the Emperor will go to war against the Protestants. He tries to dissuade the Emperor from this by suggesting that his counselors are bad. At the same time Luther issues warnings to all Germans not to join

in such an unrighteous enterprise as the war which the Emperor intends to undertake (28). However, towards the end of the 1530s Luther emphasizes that the Pope has no legitimate authority and that he is now a destroyer of all the orders that God has instituted; if therefore the Emperor or the princes intend to fight for the Pope in the belief that they are fighting for the church, then everyone ought to fight against them (29).

But according to Luther, when violent methods have to be resorted to and when these methods are used in a righteous way by civil authority, then they can become a means for charity. In itself the sword is of course a tool that carries out God's wrath and punishment. Those who have done wrong will always experience the sword in this way. But Luther insists that the sword should be seen from the point of view of the weak and vulnerable. The main task of the sword is not to punish and to kill; above all it has been instituted as a protection and a refuge for the weak. When looked at in this way, the sword becomes an instrument for charity, in spite of its mercilessness, or perhaps even because of it (30). To Luther nothing is worse on earth than disturbances, insecurity, violence, oppression and injustice. If good and pious people can be protected through the sword from all these things, mercy, charity and goodness will enter their lives (31).

Luther does point out that a Christian should not ask for protection and safety for himself by violent means but should be prepared to suffer (32). On the other hand, charity towards one's neighbor does require that a Christian resorts to the sword in order to protect others. This applies most particularly to Christian princes. Luther says that a Christian prince should remember that he is not a private person but a servant of God, entrusted with the task of carrying out the wrath of God. He is entrusted with the sword in order to use it to protect and safeguard his subjects. If he does not use violent methods whenever these are necessary, he provides evil people with an opportunity to do evil through his weakness and sloth. Thus he becomes guilty and responsible for all the mischief made by evil persons (33).

In this context Luther compares the prince to a doctor who may have to amputate an arm or a leg in order to secure the survival of the patient. To anyone who cannot see the whole situation such a measure might seem savage and pitiless, but to those who have a more profound understanding of the situation the measure expresses love and care for the life of the patient. In certain cases, to resort to violence might be the lesser of two evil options (34). Luther is explicit on this point as far as the peasants' rebellion is concerned: Many lives would have been saved if the princes had used force early on and prevented the peasants from causing devastation. The use of a reasonable amount of violence might then have prevented a devastating amount of violence. Luther adopts the same kind of reasoning in respect of war (35). However, he admits that there might be doctors who take pleasure in amputating; that is, there might be rulers who resort to violence where there is no call for it. Luther condemns princes of this type and accuses them of causing general disturbances. But he does not offer any advice on how to deal with such princes (36).

According to Luther, the use of violent methods is permissible because this world is evil. If people were pious and liked peace, violence and war would be regarded as great disasters. But people do not want to live in peace. They prefer to murder, steal, rob and kill; they want to defile women and children and to deprive their neighbors of their honor and their property (37). It is true that Christians do spontaneously and voluntarily what is

good, but they are a minority and no one is Christian by nature. Therefore God has to force people to keep peace and to refrain from evil deeds, at least in an outward sense, by means of the sword (38).

When the use of violent means is justified, the subjects of a state are obliged to support the civil authority. In a just war, for instance, Luther finds it both pious and charitable to kill and plunder the enemies, and to burn their property (39). Christians, too, ought to fight as skilfully as they can, and with all the capability God has given them. However, they are not allowed to do this in order to achieve justice for themselves; they are only pledged to fight for the sake of their neighbors. They are not allowed to suffer evil when this evil is turned against their neighbors (40). Luther extends a person's duty to resort to violent means to certain emergency situations as well, even if no immediate command to do so has been issued by the civil authority. If someone is attacked by a robber on the road, he is obliged to defend himself, because he knows that the civil authority has ordered that robbers be punished. Luther also thinks that everyone is obliged to quench rebellion, even though no special order to do so has been issued (41). But no one is allowed to commit sin when using violent methods. Luther considers the office of a soldier to be intrinsically good, but evil people may abuse a good office. Such abuse occurs when a soldier is to take part in an unjust war; he should refuse to participate and obey God rather than men. He must not allow himself to be pressed to join (42). If he is in doubt as to whether a war is just or not, he may take part in it and let God decide which of the two opposing parties is right. The office of a soldier is of course also put to wrong use when violent methods are used to exploit and harm innocent people (43).

Luther limits the use of violent methods by such extensive restrictions that non-violent methods are shown to be by far the most important means for change in society. Although civil authority may occasionally resort to the use of violent means, it should use them with moderation which both reason and equity demand. In Luther's opinion civil authority is in danger of both punishing people too heavily and of being too lenient. But generally speaking, it is better to be too lenient than to be too harsh. If punishment is used extensively, it might also hit innocent people. Luther thinks that this would be regrettable, since good and pious people are scarce. But there will always be plenty of evil people (44). Whenever a conflict arises in society, people ought first of all to try and arrive at a settlement, agreement and peace. The other party should be allowed to speak its mind freely and to present its point of view. Everyone should be willing to listen to the other party involved and to accept criticism. No one will lose anything by showing humility, willingness to compromise and magnanimity in such cases. And even if something is lost by such an attitude, the loss will be doubly recompensed by the fact that peace can be preserved (45). As far as possible, everyone should refrain from starting a conflict. When the peasants' rebellion threatens, Luther urges the princes not to start a war against them and warns them that a small spark could start a conflagration that might consume the whole of Germany (46). Luther points out that it is easy enough to start a conflict but very difficult to put an end to it. Those who start a conflict are hardly able to dictate where and when it should stop. It is far more likely that this issue will be decided by those who were attacked. Here Luther refers to Duke Frederick of Saxony who remained peaceful where a more belligerent prince would have started a war ten times over. He kept his sword in its sheath, allowed his adversary to be provocative and patiently listened to the rattle of arms. He always replied very courteously and gave the enemy the impression that

he was afraid of war and might even be inclined to flight. Luther says that when people asked him why he consented to such provocation without retaliating his reply was: "I do not want to start a war, but if I am forced to fight, you will see that I will be the one who decides when to end it" (47). To Luther the possibility of reaching a peaceful solution in social conflicts always exists, provided civil authority shows self-control and restraint, and is willing to listen to the adversary and to compromise.

The preachers are entrusted with the task of influencing society by virtue of their office. Their preaching and teaching may be efficient means of propagating non-violence. Luther himself made diligent use of these means and often launched heavy criticism against the powers that be. He maintained that people have good reasons to be discontented with their princes, since they have neglected both their worldly and spiritual duties. The peasants' protest against bondage, high taxes and duties and other burdens laid on them by the princes was fully justified. The princes robbed and looted and behaved like bears and wolves (48). Still worse was their conduct in spiritual matters. Many princes fought the gospel and tried to diminish Christian faith and the peasants were therefore justified in demanding the right to listen to the gospel and to choose their clergy. No evil can be worse than that of preventing people from listening to the gospel. Anyone who does this closes the doors of heaven for other people and so condemns them to hell, since the gospel is the only road to eternal happiness. No one may put up with such deprivation without protest (49). Obviously Luther expects the peasants to realize that they ought to protest. He looks upon himself as a prophet for the Germans (50). He demands penitence and he issues warnings: God's judgment is pending. He clearly sides with those who are oppressed and badly treated. He proclaims that people neither can nor want to stand the oppression and arbitrary government of the princes and that God will not tolerate these either and such oppression will therefore have to come to an end. The princes must not continue to exploit their subjects; they must reduce their pomp and enormous spending (51). If they will not do this voluntarily, they will be forced to do it through violent upheaval (52). Luther stresses that he himself only recommends non-violent methods. But he also points out that he has no means of making the crowds accept his teaching unless God gives him this grace. The tyrants cannot therefore continue to believe that they are safe. They would in fact deserve to be dethroned by God. Luther admonishes them to fear the wrath of God and to remember that God is close at hand. If God decides to punish them as they deserve, he will do so. He may punish them through another civil authority or by making their own people rise against them (53).

Ordinary citizens need not submit passively to everything the princes command. In no circumstances should they obey commands that concern their relation to God. This is under the sole authority of the word of God (54). When the authorities demanded that Luther's translation of the New Testament be handed over to them, Luther advised his followers not to obey this order on any account. They were not to hand over a single page voluntarily. If the authorities proceeded to deprive them of the New Testament by force, they were not to cooperate but were not allowed to resist such an action by force either. In such a situation, the eternal happiness of each individual is at stake and everyone should obey God rather than men (55). Luther believes that conflicts between civil authority and citizens are most likely to arise in the area referred to in the first table of the law. If these conflicts become impossible to solve, the citizens have no other choice but to leave the country (56). However, conflicts that relate to the second table of the law are not entirely excluded. In worldly matters the citizens

also have a right to work for changes that will improve their situation. According to Luther, both complaints and desires can be brought before civil authority (57). If the legitimate authority then refuses to listen to them, the citizens can appeal to some higher authority, for instance to the Emperor (58). The highest authority is God himself. Anyone oppressed and distressed should primarily turn to God for deliverance but should remember that bad rulers might be God's way of punishing both individuals and groups of people. It is therefore necessary that people apply to God for help only when they have confessed their sins. But it is fully permissible to ask for God's intervention and one can rest assured that he will intervene. God does not approve of oppression and has many means of putting an end to it.

According to Luther Christians are obliged in a very special way to restrict themselves to non-violent methods. Christ's commandment, "Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which use you spitefully and persecute you" and his commandment, "Be ye therefore perfect even as your Father which is in heaven is perfect" applies to Christians (59). They are not allowed to offer resistance against evil things. They are not allowed to defend themselves. They are not allowed to avenge themselves. On the contrary, they have to give up life and property whenever necessary (60). God is to be their sole treasure and they ought to rely solely on God's promise that he will not abandon them. According to Luther a Christian's sole rights are suffering and the Cross. Christ's disciples ought to follow their Master. Christ did not fight with swords. He suffered on a Cross. Neither do his followers fight with swords and guns, they fight for their cause through suffering. They do not conquer when they are victorious and can rule over other people; they conquer in defeat, and when they have no power in themselves (61).

One might ask in what kind of situation Luther expects Christians to behave like this. At any rate they are not expected to do so when their duty or their office require that they fight evil, e.g. in the service of civil authority. Nor are they expected to act in this way when they are alone and someone attacks them; then they must defend themselves. Luther seems to suggest that Christians ought to endure suffering when civil authority exposes them to suffering because of their faith, and when they cannot escape such suffering. What Luther refers to is martyrdom. Luther also stresses that it is just to show charity towards enemies. The fifth commandment does not merely prohibit killing. It also sets out to eliminate the root causes that make people kill one another. It calls for a patient and meek heart towards those who cause anger. And it is not content merely to forbid people to hurt their neighbors; it requires them to protect, help and save the neighbor. According to Luther, charity towards neighbors and enemies ought to take the form of efficient goodness, i.e. in concrete acts towards one's neighbor (62). Christians are here given both the possibility and the obligation to prevent the suffering that ensues from conflicts and to eliminate their causes.

As we have seen, Luther sees the use of violence and the use of non-violent methods mainly as means of preserving order in society. This attitude must be seen against the background of Luther's interpretation of history as a contest between God and the devil, and against Luther's pessimistic view of man. What God creates by means of his commandments and orders is an orderly organization and structure of society. Where God's will prevails, everyone has found their own place in the structure of society and can thus serve society by adhering to their particular task and vocation. The parable of amputation used by Luther shows that he regards society as a body. Where

God's will and intentions are realized, the body is sound and all its parts and members function as they were designed to function.

According to Luther, society derives its structure partly from the fourth commandment and partly from a given division of work among the different sectors in society. Every man is subject to some authority, and at least those who are parents act as authorities in their relation to their children. On the one hand the fourth commandment presupposes obedience to authority; on the other, it confers on authority the obligation to secure peace and worldly and eternal welfare for its subjects. Moreover, society is divided into various order. Luther talks about households, authority and the office of preachers, *oeconomia*, *politia* and *ecclesia*, or about agriculture and military forces, *agricultura* and *militia* (63). All these various orders are mutually interdependent and cannot exist independently of one another. Agriculture is responsible for the nourishment of people, and the military forces are responsible for the protection of agriculture. Those who are engaged in agriculture ought to be protected by the military forces so that they can fulfil their task of providing nourishment. But the people working in agriculture must provide the military forces with food, as this is the precondition for the fulfilment of the mission of the soldiers (64). From the point of view of the church it is equally important that the other two classes exist. Luther emphasizes that the kingdom of God can be established only through the word of God and through the Holy Spirit. But he points out that the kingdom of God cannot exist without marriage and the sword (65). There must be people to whom the gospel can be preached, and it is difficult or even impossible to preach the gospel unless there is peace.

Luther regards the devil as an agent continuously at work to destroy the order that God has established in the world. He refers to 1 John 5:19, and maintains that the whole world is in the power of the devil. It is impossible to find a paradise on earth. On the contrary, the whole world is involved in the process of destruction carried out by the devil. In the church the devil tries to distort and destroy the word of God and the gospel. In the lives of ordinary people the work of the devil can be seen in the form of disasters, suffering and conflicts. In society the devil tries to produce tyranny and anarchy or a completely illegal use of power (66). People who do not obey the commandments of God become tools of the devil (67).

God is the God of order. Tyranny and anarchy, disorderly and chaotic conditions are against the will of God. God is fighting to keep back the devil, and to preserve the body of society in a healthy condition. For this purpose, God uses both violent methods and non-violent methods.

However, Luther does not believe in any reasonable possibility of maintaining a more or less perfect society on earth. He says that anyone who wishes to may try to build a paradise on earth and create a society to which the devil has no access and where people need not fear his fury. Luther would enjoy watching such an enterprise. But he has no intention of engaging in such hazardous attempts himself, and obviously he does not believe anyone to be capable of realizing such an enterprise (68). The power of the devil is too great and Luther distrusts the ability of human beings to liberate themselves from evil. He emphasizes that there is a difference between exchanging one authority for another, and actually getting a better authority. It is easy enough to substitute one authority by another and this is precisely what most people are content to do. But there is no guarantee that the new rulers will be any better than the old ones and they may pos-

sibly turn out to be worse. One should take care; otherwise one might end up with bumble bees instead of flies and wasps (69).

But we have seen that Luther also concedes that God himself may intervene to change the prevailing conditions of a society. God is the God of history. He is present and active in the world, even when he stays hidden. If the rulers abuse their power, God may allow the devil to destroy the order of the society. He can utilize one criminal in order to punish another, and in that way create a new social structure. He can also avail himself of another legitimate authority so that his judgment and his punishment may be fulfilled (70).

The idea of God's intervention in history gives Luther's opinion on violence and non-violent methods a new dimension; it can also color his statements about man's obligations. People should not normally believe that they are the tools of God's sovereign power. Only the specially chosen, the so-called men of miracles, *Wundermänner*, such as Samson may have such a mission (71). And particularly in regard to the use of violence, people are normally enjoined to abide by the rules established in the word of God. Only then may their consciences be at peace and only then can they expect God to side with them and to lead them to victory. If they fight and feel compunction, it is probable that they will be defeated, and even if they are victorious, their souls will be lost for ever. Those who have a clear conscience may be defeated on earth but they will in any case gain salvation (72). Whenever anybody is forced to resort to violent methods, he must therefore examine his conscience carefully. If he finds that he fulfils the conditions God has put forward as a requisite for the right to use the sword, he can use it without fear; otherwise he must refrain from using it. And even if he can use the sword with a clear conscience, he ought to be aware that, as a human being, he is as much a sinner as his adversaries. He must entrust himself to the mercy of God and allow God to determine whether he will grant victory or not (73).

A great many of the views that Luther put forward on violence and non-violent methods became current and were widely discussed in Finland during the so-called first period of oppression between 1899 and 1905. The background of these events will be briefly recapitulated here.

When Finland ceased to be a part of Sweden and was united to the Russian Empire in 1809, Tsar Alexander I made Finland an autonomous Grand Duchy. He decided that the Swedish constitutional laws of 1772 and 1789 should remain in force and the the Evangelical-Lutheran Church should be the church of the country. Finland was to have a diet of its own, consisting of four orders: the nobility, the clergy, burghers and peasants. The country was also given a combined government and supreme court, called the Senate. The members of the Senate were appointed by the Tsar for a three-year period. The Tsar was represented by a Governor General and Finland had a representative in St. Petersburg. In 1860 Finland rejected its own monetary system and in 1878, the country was given the right to establish an army of its own, based on universal conscription. Russian citizens could not be appointed as civil servants in Finland, but Finnish citizens were admitted in the Russian civil service.

Towards the end of the 19th century, this system caused discontent in Russia for military reasons and above all because of ideological considera-

tions. The Slavophile movement disapproved of the fact that the Finnish administration was run on different principles to those adopted elsewhere in the Empire, and it also disapproved of the fact that the system encouraged Finnish national consciousness. The Slavophiles called for closer union between Finland and Russia. Although on his accession to the throne in 1894, Tsar Nicholas II had confirmed the status of Finland, in 1898 he appointed General Nikolai Bobrikov as Governor General of Finland and a nine-point program was set up to further the russification of Finland. Somewhat later the Finnish representative in St. Petersburg resigned and was replaced by a Russian civil servant. On February 15, 1899, the Tsar then issued the so-called February Manifesto, stating that the Finnish legislative bodies were no longer allowed to deal with matters which also affected the Empire; the Tsar himself retained the right to decide what questions pertained to the Empire as a whole (74).

The Manifesto was a blatant offence against the Finnish constitution and the Finns began to fear that their right to self-determination would be restricted. The Senate held a ballot and after an even vote decided to publish the Manifesto, but declaring at the same time that it was against the law. The general public in Finland thought that the Tsar had been misguided by bad counselors and in an address appealed to the Tsar to withdraw the Manifesto. Within a couple of weeks 522,931 citizens out of a population of 2 1/2 millions had signed this address. A deputation of 500 people took it to St. Petersburg but the Tsar refused to see the deputation or even to accept the address (75). Another deputation approached the Tsar in June 1899 with an address signed by 1050 scholars and intellectuals from twelve European countries; they met with the same refusal. However in February 1901 the Finnish archbishop Gustaf Johansson did manage to obtain an audience with the Tsar. He pointed out to the Tsar that people in Finland were afraid that the national existence of their country would be destroyed. The archbishop deplored the over-emphasis given to the Russian language in Finnish schools and in the civil service; he tried to express the anxiety which the setting aside of the constitution had caused in the country. The Tsar assured the archbishop that he himself would be responsible for the continuity of Finland's national existence and that Finland would be left alone as soon as certain necessary measures had been undertaken. The Tsar refused to see any relevance in the arguments put forward in regard to concerns about the constitution (76).

Finland thus adopted Luther's advice to take the case to legitimate authority. Moreover, the archbishop undertook to be the spokesman of the people, assuming the prophetic role that Luther had had. However these efforts were fruitless. In 1901, by virtue of the Manifesto, a new military service act which was contrary to the constitution was forcibly passed, according to which Finnish men would be required to do military service in the Russian army. The law was to take effect in the spring of 1903 and as a result the Finnish army was disbanded during the years 1901-1905 (77).

The clergy became deeply involved in these events. 35 pastors represented the clergy in the diet and there they had direct experience of these political problems. There was also an old rule which required every new law to be read out in the churches before it could take effect. The conscription order also had to be read out and gave rise to much conflict within the church. The archbishop and the other three bishops demanded that in this matter also the clergy should be obedient to civil authority but a number of clergymen refused to read out the documents. They pointed out that they were pledged by an oath to adhere to the constitution and could therefore

not proclaim laws and orders which were clearly contrary to it. Strong pressure was put on these clergymen and those who still maintained their stand were condemned to lose their salaries for a certain period. One of them, the dean of Oulu, had to leave the country (78). G.G. Rosenqvist, professor of systematic theology at the University of Helsinki produced a series of arguments which could be invoked in order to oppose efforts at russification. He published his arguments in the theological review Teologisk Tidskrift - Teologinen Aikakauskirja. At a time when the daily newspapers were censored, it was probably easier to discuss politically sensitive questions in a scholarly review. Rosenqvist started a policy of passive resistance; he argued that authority descends from above and not from below. Authority comes from God, but precisely because of this it must not run contrary to conscience and duty since these too derive from God. A child who obeys its parents even in evil things (e.g. steals if its parents tell it to do so) cannot justify its theft by referring to its duty to obey its parents. No human authority can rule over another person's conscience. God has not given powers to any human authority which will allow it to force anyone to act in conflict with his conscience. Rosenqvist equates this pressure with violence and feels that such conduct is a crime against the majesty of God; it destroys the eternal foundation on which all authority rests (79). He sharply criticizes the Finnish politicians and bishops who adapt their conduct to circumstances and look only at the benefits attainable at the moment. Rosenqvist disapproves of a policy of appeasement; he points out that one does not bargain away the constitution which is the legacy of justice handed down from one's ancestors. It expresses the sense of justice of the nation. Every citizen and civil servant must obey it and abide by it until it is legally changed. To Rosenqvist therefore, justice and the constitution, but not the Tsar, constitute the authority that one's conscience must obey. He emphasizes that the God who rules over our conscience is also the God of history. Those who obey their conscience should not be afraid of the consequences. One must have the courage to believe that the power of righteousness and justice is sovereign in history (80).

The Finnish bishops did not share Rosenqvist's views and rather adopted a policy of appeasement. Archbishop Johansson wrote two letters to the clergy, warning every pastor to be cautious and moderate. No one should do anything to provoke the Russian authorities into taking measures that might injure Finland. According to Johansson one must not mistake the law of society for the law of God. Although God had given a nation its laws he could also withdraw them from that nation, if it neglected its ethical development. The oppression in Finland was a judgment from God and the nation should recognize this, and repent. If it opposed legitimate authority, it did not submit to God's chastisement. The archbishop also rejected the idea that a person's conscience would be bound by the constitution. He did not see how Acts 5:29 could be applied in this respect. If a clergyman had to suffer because he did not obey the Tsar's commands, this certainly was not suffering for Christ. It just meant that the clergyman had simply devoted himself to political activities which are not consistent with his vocation (81). Bishop Rabergh maintained that a Christian must be capable of submission to an unrighteous and oppressive civil authority and that submission did not imply approval of such an authority. Any authority that uses oppression and violence abuses the mission given to it by God, but a Christian may not hold the authorities responsible for such measures. God is the sole judge (82).

Gradually the conflict grew harsher. In order to avoid conscription to the Russian army, many Finns either emigrated or simply did not turn up. In

1903 the Governor General was given dictatorial rights and the Finns themselves resorted to ever more violent methods. In 1904 the Governor General was shot dead by a young Finnish civil servant who immediately afterwards committed suicide (83). Inspired by the Russian defeats in the war against Japan, a general strike was launched in November 1905 and acts of violence took place. The strike and the disturbances that occurred simultaneously in Russia made the Tsar revoke the Finnish Manifesto. For a period legal order was restored. The Finnish army was not reconstituted, but on the other hand Finnish citizens were no longer required to do military service in the Russian army. The diet was transformed into a one-chamber diet and men and women were given voting rights (84). Order was restored and it was possible to make some changes.

The church disapproved of the acts of violence that had occurred even if it could understand the motives that had led to the murder of the Governor General, but it maintained its view that murder and suicide conflicted with the law of God (85). After the general strike, Professor Rosenqvist wrote that justice and human rights were threatened from above as well as from below and that violence and terror were equally unacceptable, irrespective of whether they were perpetrated by an individual or groups of people. According to him the socialist movement that had emerged from the general strike ought to abandon the idea that agitation and violence were the most important arms in the class struggle. Instead the working class ought to urge the upper classes to help in their cause. According to Rosenqvist only a stronger solidarity and a deeper respect for the value of the individual could become a constructive force in society and guarantee a decent existence for everybody. This goal could not be achieved through power and coercion but only by a process of ethical education (86).

The more conservative circles among bishops and their followers were of course even more disturbed by the political murders and condemned them as crimes. They were ashamed of the events that had occurred during the general strike. At the same time the Russian defeat in the Japanese war confirmed their conviction that God would judge unrighteousness and restore righteousness. They now felt that God was calling Russia to repentance and hoped that God's coercion would lead to a moral and religious revival in Russia (87).

The social and political conditions in Finland during this first period of oppression may seem idyllic when compared with other and later events. However, psychologically and ideologically they had a very profound effect and have left traces that are noticeable throughout the later history of the country. The increased use of violent methods eventually led to civil war in 1918. Respect for and trust in law and international treaties have marked the passive resistance which dominated Finnish politics between the two world wars. Since the Second World War we have seen the growing influence of an appeasement policy in Finland.

The church leaders who took part in the Finnish debate at the beginning of this century have a great deal in common, in spite of their differences. They unanimously spoke against violent methods, they were motivated by a common patriotism and they were all looking for the best means of saving the nation in the emergency. They were all convinced that power descends from above and saw themselves as subjects in relation to an authority and therefore felt that they had to restrict themselves to non-violent methods. They all wanted, more or less consciously, to abide by the Lutheran tradition. Their discord concerned the question of what kind of non-violent

resistance they could justify and whether on the whole resistance against authority was permissible, even by means of non-violent methods. This debate is interesting because it brings to light different interpretations of authority and indicates possible approaches to the commandment to obey God rather than men. Both these questions are important for the interpretation of the Lutheran view on violence and non-violent methods. The debate makes clear that motives of political conduct may vary considerably according to given historical situations.

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Notes:

- (1) D. Martin Luthers Werke. Kritische Gesamtausgabe, Weimar 1883, 19,625,20 ff.
- (2) WA 11,247,21 ff.; 11,256,27 ff.
- (3) WA 19,636,5 ff.
- (4) WA 30 I,136,4 ff.
- (5) WA 19,629,30 ff.
- (6) WA 19,626,22 ff.
- (7) WA 19,656,2 ff.
- (8) WA 18,296,5 ff.; 18,360,27 ff.
- (9) WA 11,263,3 ff.; 11,266,24 ff.
- (10) WA 19,645,7 ff.
- (11) WA 30 I,157,14 ff.
- (12) WA 19,652,20 ff.
- (13) WA 11,247,21 ff.
- (14) WA 11,262,7 ff.; 11,269,4 ff.
- (15) WA 18,297,16 ff.
- (16) WA 11,276,13 ff.
- (17) WA 19,650,1 ff.
- (18) WA 18,361,2 ff.
- (19) WA 18,299,1 ff.; 18,322,5 ff.
- (20) WA 19,636,5 ff.
- (21) WA 8,680,32 ff.
- (22) WA 18,311,13 ff.
- (23) WA 8,680,18 ff.
- (24) WA 18,305,2 ff.; 18,397,22 ff.; 19,635,7 ff.; 30 I,154,16 ff.
- (25) WA 18,396,35 ff.
- (26) WA 19,638,31 ff.
- (27) WA 8,678,4 ff.; 8,680,11 ff.
- (28) WA 30 III,278,10 ff.
- (29) WA 39 II,50,22 ff.; 39 II,51,3 ff.
- (30) WA 18,391,30 ff.
- (31) WA 18,390,17 ff.; 18,392,1 ff.
- (32) WA 11,259,7 ff.
- (33) WA 11,260,17 ff.; 18,360,1 ff.; 19,648,13 ff.
- (34) WA 19,625,26 ff.
- (35) WA 18,390,23 ff.
- (36) WA 19,627,8 ff.
- (37) WA 19,626,15 ff.
- (38) WA 11,250,6 ff.; 11,251,1 ff.
- (39) WA 11,277,16 ff.

- (40) WA 11,255,5 ff.; 19,657,23 ff.
- (41) WA 18,397,22 ff.; 18,398,18 ff.; 39 II,46,20 ff.; 39 II,47,33 ff.
- (42) WA 19,624,18 ff.; 19,627,2 ff.; 19,656,22 ff.
- (43) WA 19,627,4 ff.; 19,657,2 ff.
- (44) WA 11,261,27 ff.
- (45) WA 18,292,12 ff.; 18,297,15 ff.
- (46) WA 18,297,7 ff.
- (47) WA 19,646,17 ff.
- (48) WA 11,265,13 ff.; 18,299,16 ff.; 18,315,1 ff.
- (49) WA 18,322,6 ff.
- (50) WA 30 III,290,20 ff.
- (51) WA 11,270,9 ff.; 18,299,4 ff.
- (52) WA 18,294,1 ff.
- (53) WA 30 I,154,16 ff.
- (54) WA 11,246,23 ff.
- (55) WA 11,266,18 ff.; 11,267,14 ff.
- (56) WA 18,323,4 ff.; 39 II,47,10 ff.
- (57) WA 8,680,27 ff.
- (58) WA 19,652,25 ff.
- (59) WA 11,278,3 ff.
- (60) WA 11,259,7 ff.; 11,260,9 ff.; 18,310,1 ff.
- (61) WA 18,315,10 ff.
- (62) WA 30 I,158,30 ff.
- (63) WA 19,654,20 ff.; 26,505,10 ff.; 30 I,152,19 ff.
- (64) WA 19,654,22 ff.
- (65) WA 11,258,38 ff.
- (66) WA 18,358,18 ff.; 18,397,7 ff.; 19,644,20 ff.
- (67) WA 18,316,13 ff.; 39 II,49,21 ff.
- (68) WA 19,644,26 ff.
- (69) WA 19,639,22 ff.
- (70) WA 19,643,13 ff.
- (71) WA 11,261,9 ff.
- (72) WA 18,300,6 ff.; 18,360,10 ff.; 19,655,22 ff.
- (73) WA 18,360,13 ff.; 19,661,2 ff.
- (74) Eino Murtorinne: Papisto ja esivalta routavuosina 1899-1906, pp.53 ff.
- (75) Päiviö Tommila: Eurooppalainen adressi, Otavan iso tietosanakirja 2, p. 1227; id.: Suuri adressi, Otavan iso tietosanakirja 8, p. 273.
- (76) Eino Murtorinne: Op.cit. pp. 90 ff.
- (77) Einar W. Juva-L.A. Puntila: Suomi, historia, Otavan iso tietosanakirja 8, p. 650.
- (78) Eino Murtorinne: Op.cit. pp. 153 ff.; 226 ff.; 239 ff.
- (79) G.G. Rosenqvist: Etiska aforismer. Teologisk Tidskrift 1901, pp. 465 ff.
- (80) G.G. Rosenqvist: Op.cit. p. 468; id.: Hvad är det som skiljer oss?, Teologisk Tidskrift 1904, pp. 465 ff.
- (81) Eino Murtorinne: Op.cit. pp. 102 ff.; pp. 165 ff.
- (82) Herman Råbergh: Jeesuksen Kristuksen suhde aikansa valtiollisiin kysymyksiin, Vartija 1902, pp. 373 ff.; id.: Muuan sana päivän kysymyksissä, Vartija 1903, pp. 190 ff.
- (83) Eino Murtorinne: Op.cit. pp. 245 ff.
- (84) Einar W. Juva-L.A. Puntila: Op.cit. p. 651.
- (85) Eino Murtorinne: Op.cit. pp. 249 ff.
- (86) G.G. Rosenqvist: Några tankar med anledning af den senaste tidens händelser, Teologisk Tidskrift 1905, pp. 421 ff.
- (87) Eino Murtorinne: Op.cit. pp. 294 ff.

All quotations of Luther's works translated into English by the author.

NON-VIOLENT WITNESS FOR JUSTICE AND PEACE

An Historic Peace Church View

Marlin Miller

The Lutheran World Federation study on "Violence and Non-Violent Methods in the Maintenance of Order and in the Struggle for Change" specifically requests conversation with the "historic peace churches." The prospectus for the study correctly notes that these churches have "often taken a very different stand to the majority of the churches of the Reformation...on matters of political ethics." It suggests that the peace churches may be "particularly noteworthy interlocutors in the attempt to understand the relation between justice, power and violence from a theological and ethical point of view" because of their "eminent and credible praxis" during the past four and a half centuries. The project description also rightly observes that "the theology of the peace churches represents a fundamental view...which is not only their own but is shared by many groups." Finally the interest of the LWF focuses on the eventual "answers which their theology provides on contemporary questions," namely the ecumenical debates on violence and non-violence which have been precipitated in the last two decades particularly by liberation and/or revolutionary movements.

Before summarizing the "answers" of the historic peace churches in the context of current debate, I shall make introductory comments on the "historic peace churches" and on the nature of conversation between that tradition and the mainstream Protestant churches, particularly the Lutheran tradition (A). For the purpose of orientation both to the dialogue and to the potential responses to current issues, I shall then summarize significant perspectives which have shaped and have been shaped by the historical experiences of the peace churches (B). Finally, I shall enumerate the major assumptions and points the historic peace churches have made in several recent statements on peace and justice, and on the church's mission and service tasks in situations of injustice and oppression (C).

A.

On the simplest level, the term "peace church" should apply to any Christian community in which a pacifist commitment belongs to the shared faith. The label used in this way would exclude a significant number of Christian pacifist individuals, small groups, and voluntary associations without the support of institutional church bodies. Nevertheless, such persons have had a significant ecumenical impact in our time. Some have been notable as individual figures, such as Harry Emerson Fosdick, André Trocmé, Friedrich Sigmund-Schultze, Albert Luthuli and Martin Luther King Jr. Many have contributed effectively through the common witness of agencies like the Women's International League for Peace and Freedom, the Fellowship of Reconciliation, and the Southern Christian Leadership Council (USA).

A second category of Christian pacifists shall also be excluded from this report on "an historic peace church view" of violence and non-violence. There has been a considerable number of Christian renewal movements whose initial pacifist position was not elaborated over a longer time and did not survive until the present. Sometimes the group itself did not continue. Sometimes the group neglected or disavowed the peace position with the passage of time. Even so, it is important to recognize how many such groups there have been. A "peace church witness" is in fact more widely present across the memory of church history than most churches recognize. Because they have not continued to the present or have moved away from a common and consistent peace position as a church or Christian movement, the following groups shall however be excluded from the present analysis:

1. The Waldenses, who held a pacifist position from the 12th to the 16th century, but abandoned it in 1534 by allying themselves with the Reformed churches.
2. The Czech Brethren, who arose in the mid-15th century and were formally constituted in 1467 as the Unitas Fratrum. Their pacifist commitment diminished during the 16th century. Their communities were wiped out by the Thirty Years' War.
3. The Disciples, who began in 19th century America. Among their contemporary heirs, a pacifist commitment has considerable strength. However, the Disciples' church policy and discipline have not effectively implemented this pacifist orientation. It has therefore become a minority position. The Disciples' experience parallels the development of other American "restoration" groups in the 19th century, such as the Church of God (Anderson).
4. The Doukhobors and the Molokhans, Russian groups who were inspired by reasoning patterns endemic to Russian culture in a fashion similar to Leo Tolstoy. They were crushed in the Russian empire and the Soviet Union or scattered elsewhere (for example, Western Canada) as refugees in insignificant numbers.
5. American Pentecostalism, which until the 1920s was racially integrated and pacifist. It rapidly lost the peace commitment in a process of rapid growth and cultural accommodation.
6. The Mu-Kyo-Kai or "No-church Church" founded in the 1930s by Uchimura Kanzo. It still contributes part of the anti-militaristic thrust in present Japanese society. Because of the breadth and diffused quality of Japanese anti-militarism, it has not developed a strong confessional commitment to pacifism as a distinctively Christian stance. Moreover, the Mu-Kyo-Kai's minimal church structure does not make the peace commitment a matter of community discipline.
7. The Kimbanguist community of Congo basin, which first established contact with other Christian churches through the channel of the Fellowship of Reconciliation. Its anti-military testimony has lost some clarity because it overlapped with the anti-colonial witness before independence. It was therefore not well prepared to maintain a pacifist stance once Zaire became an independent nation with an indigenous military elite.

Even though these groups are not generally labeled "historic peace churches," it is ecumenically important to notice the breadth and length of

this list. It points to the perennial naturalness of a peace witness which repeatedly surfaces in times and places of renewal. I shall return to this observation in the next section.

The specific phrase "historic peace churches" was apparently coined in the mid-1930s by leaders of the Mennonites, Quakers, and Church of the Brethren in North America (see Durnbaugh, page 30). World War I had surprised them and put before them challenges for an effective peace witness and for the administration of common efforts in relation to military service. Although they did not create an institutional federation, the leaders of the service agencies of these three bodies met regularly for several years in an informal "continuation committee." This committee also convened larger study conferences as needed. During the 1930s, concerns focused on countering developments which seemed to be leading the United States to war, and on obtaining, should war indeed break out, a better way of dealing with conscientious objectors than had been available in World War I. In the 40s and the 50s, the same structure was used to coordinate relief and reconstruction services, particularly in Europe. The three denominations found themselves involved in these services to a degree out of proportion to their small membership. For dialogical purposes, I shall characterize very briefly and in an oversimplified way the origins and historical experiences of the Quakers and Mennonites. I shall seek to do so typologically with a view to the systematic and structural differences between a Lutheran and an historical peace church political and social stance.

The Quaker peace witness arose in the near-apocalyptic enthusiasm of mid-17th century England. It was rooted in the experience that Christ's spirit has the power to reconcile and renew. The sinner who had been overcome by the power of the "light" in his own heart knew that the power could move others as well. This power would remove the causes of war as violence could never do. The Quaker peace witness ripened and was tempered through the collapse of the Puritan revolution, when it became progressively clear that Cromwell and the Puritan parliament could not fulfill the hopes of a religious commonwealth which had sustained their wars and regicide.

Beginning with 1689, Quakers (as well as the non-historically pacifist Baptists and Congregationalists) have demonstrated that a morally committed minority in a tolerant society can make a significant contribution to combat social injustices and to develop a wholesome economy and political culture. William Penn was able to demonstrate in Delaware, New Jersey, and Pennsylvania that, in the light of his perspective of faith and hope, a society could be constructed which would resolve in distinctive ways the problems of relating to the original Americans, expressing religious liberty, immigrating freely, and treating the poor and offenders. Quakers to this day continue actively in conflict resolution ministries between groups, classes, and nations. They also contribute significantly to creating alternative patterns at major junctures in our social pathology: criminal corrections, labor conflicts and race relations.

The American Friends Service Committee has for two generations been largely supported by funds from other Christians, Jews, and even non-religious people who have been convinced that their peace-making style is fundamentally valid. They have facilitated readiness to dialogue between political and social opponents, when brought together in the light of the Quaker vision.

The effectiveness of the Quakers in such efforts amounts to a practical refutation of some assumptions made by classical Reformation thought about

the need for law and gospel, or about the need for distinguishing between secular common sense and the witness of Jesus Christ. To the Friends, the fact that non-Quakers and even non-Christians understand their ethos seems to confirm George Fox' conviction that the opponent in a conflict is also a bearer of dignity and is able to perceive God's speaking. This has been confirmed experientially by a long history of effective reconciliatory efforts, even across cultural and social lines. This Quaker insight has been rejected most deeply by defenders of the Christian tradition rather than by those who, according to Reformation doctrine, ostensibly know nothing of grace in Christ.

To be sure, Friends have not engaged in their special ministries of communication and reconciliation to prove anything in the debate with mainstream Protestant thought about law and gospel. They have intended simply to live out the universal relevance of Christ's renewing work in the midst of a hostile world. Nevertheless, their conclusions at least partially seem to confirm their hopes.

Furthermore, Quaker testimony does not operationally confirm a Lutheran division between law and gospel which establishes different patterns of ethical insights and moral value. Their historical experience has not validated the split between generosity and toughness which many have taken to be the meaning of Lutheran dictum that "you cannot run the world with the gospel." More traditionally soteriological concerns, which may still support a distinction between law and gospel, are not thereby necessarily set aside. But whatever this difference may otherwise mean, the Quaker stance would claim that it cannot support a division between two kinds of ethics, one kind based on love and practicable only in an ideal world, and the other kind more effective in the real world because it justifies violence and killing under certain conditions.

The Quaker corrective to the disjunction between the two ethical frameworks does not necessarily claim that love and gentleness are effective. It seeks rather to clarify, as George Fox had already done, that the gospel judges and renews as it forgives and promises. Contemporary Quaker political witness "speaks truth to power" with respectable technical expertise and factual documentation (see bibliography at end of paper). It calls opponents in a conflict to take manageable steps toward one another. Such steps depend upon a measure of trust in the truth. But they do not make utterly impossible demands or impose the cross upon those not ready to practice sacrificial love as an expression of Christian faith.

The Mennonite experience has differed significantly from the Friends' history. Quakerism came into the British reformation just a generation before the advent of religious toleration. Continental Anabaptism, whose survivors are represented by the Mennonites and the Hutterian Brethren, had to survive two or three centuries before benefiting from access to citizenship, freedom of movement, and public approval of their independent existence as a worshipping community. Before that time, persecution was not always harsh. Occasional friendly arrangements with local authorities provided them with more freedom than the dominant theologies theoretically tolerate. Occasionally, as sometimes also happened with Jews, a prince or local ruler specifically favored a minority group in consideration of their reliabilities as tax payers or renters or artisans. This, however, only reinforced their ghettoization.

More frequently, their migrant status was prolonged by the official eccle-

siastical ostracism. Anabaptists continued to move: from the Netherlands eastward to the shores of the Baltic and toward the Steppes of Central Asia, and from the Swiss heartland eastward along the Alps to Austria (then Moravia), Hungary, and then Transylvania. The early migratory history and the longer leap of the 18th and 19th centuries to North America as well as to South America in the 20th, kept the relevance of a "stranger and pilgrim" language vitally alive. Mennonites have exercised little social responsibility, usually because they were not permitted to share in it rather than because they chose to reject it.

In a manner others may best understand by comparing them to diaspora Jews, even though on a much smaller and less tragic scale, Mennonites and Hutterites have demonstrated the possibility of participating in a healthy social order and being good citizens without having access to governmental authority. Sometimes their civil responsibility expressed itself in a degree of faithfulness to Christ's ethic which resulted in their being expelled as unwanted conscientious objectors. At other times the conscientious participation in social progress led to leadership involvement disproportionate to their limited numbers, especially in the Netherlands. In neither case has their historical experience confirmed the axiom of mainstream western Christendom, which claims that the only or even the primary way to be socially responsible is to govern, with all the prerequisites for gaining, maintaining, and defending the power to rule implied by that axiom.

In the 20th century, Mennonites (along with other historic peace churches) have developed relief, reconstruction, "peace," and development services, conceived as alternatives to participation in military service and war. As we shall note in the last section of this essay, the historic peace churches' development of peace witness and service efforts, increasing participation in the broader society, and recent invitations to ecumenical conversation have challenged them to address issues of justice as well as of peace, and of power as well as the rejection of war. The ways in which they presently seek to address these questions in theory and in practice are informed by a theological-ethical-practical framework which has shaped their traditions and which has been influenced by their historical experiences. Let us turn now to a schematic summary of major elements which have historically contributed to that frame-of-reference.

B.

One may begin with a broad generalization about Christian pacifism in relation to thorough-going church renewal, particularly with respect to patterns of renewal and reformation in situations where political control is not constitutive. The three "historic peace churches" do not exhaust the history to which the label points. There have been similar churches across the centuries. In almost every century, and at least once in every century since the 15th, movements of church renewal rejected participation in war as part of their confessional identity. Usually, these movements did not begin with the rejection of violence as their first purpose. They were usually preoccupied with such matters as biblical exegesis or revival preaching, or with restoring a New Testament pattern of church order, or with renewing the deep authenticity of personal religious experience in the spirit. Nevertheless, they regularly came to reject participation in war as

belonging to their confessional identity. The phenomenon is striking in its widespread appearance. It is all the more noteworthy because their pacifism was often not the product of profound thought and sometimes became embarrassing to the second generation of these groups. From an historic peace church perspective, this recurring pattern seems to confirm that a paradigm of thorough-going and consistent church renewal and Christian faithfulness includes the rejection of violence, even if a particular movement begins at another point.

Secondly, the historic peace churches have reiterated the imperative that the church have a visible membership distinguishable from that of the entire society, in order that we know of whom we speak with reference to Christian ethics. Being a "peace" church means being a "free" church (eine freie Kirche).

Usually this separation begins to take visible shape by baptizing only those who confess their faith, rather than all in a given society. (It is interesting to note that pedobaptism is being challenged in some Lutheran and other Protestant churches. Whether this will eventually be linked to a new ethical frame-of-reference remains to be seen.

There would also however be other ways to create a visible body of believers. The vision for a "third truly evangelical order" which Luther advocated in 1526 (but had already abandoned as impractical) proposed a distinctiveness made visible by meeting in a different place than the parish church building, by having members put their name on a list, and by making a personal pledge to an evangelical order of life. Pietism later followed this pattern in one sense in numerous new beginnings with Lutheran history. Another functional equivalent would be to take a pattern of catechism in early adulthood seriously, followed by celebrating a confirmation which is not obligatory for all baptized children of Christian households. Finally, on the other side of the scale, a visible community may be formed even without the use of baptism such as is the case in the Society of Friends or the Salvation Army.

Those groups which have been most clear about defining and retaining an integral peace position have also been most clear about the imperative that there be a visible viable form for the local Christian community. The separate histories of the Czech Brethren in the middle of the 15th century, the Swiss Brethren and other Anabaptists between 1525 and 1535, the Society of Friends between 1650 and 1670, the Church of the Brethren between 1720 and 1730 and the Christian Church between 1830 and 1860 all focused first on the proper pattern for the life of the Christian community. They derivatively came to reject the sword and to their various attitudes toward holding public office even while rejecting violence. On the grounds of biblical ecclesiology, they first became "free churches," and then "peace churches." In this sense, the term "free church" does not refer primarily to the relation between a church's administrative organization and the civil government. It means rather the believing community as a whole. A free church is a church distinct from the rest of society along the lines of belief and unbelief or of obedience and disobedience to the Christian faith.

Thirdly, the underlying free church ecclesiology has several implications for the social ethics of the historic peace churches. Lutheranism, for reasons derived both from Constantinian Christendom sociology and Augustinian theology, denied the theological importance of the visible structures of the Christian community. But the movements which issued in the historic

peace churches, along different historical paths and with different language, insisted upon forming a visible community of committed believers. This commitment has obvious implications for Christian social ethics.

One implication for social ethics is that where this visible community is a numerical minority, as early Christianity was and the historic peace churches have been for most of their history, how a believer ought to behave socially is not based upon establishment assumptions about how to govern a society. These majoritarian reflexes may take several forms:

- a) There is a simple pragmatism which asks: "If most people in a society were to behave this way, what would happen to the society?" The answer to this question is different and its pertinence is less relevant if we are asking the question for a small minority within a given society.
- b) In the free/peace church perspective there is also less reason to focus on rulers and office holders as exemplary social agents and to test ethics by asking "what should a ruler do?" In the Protestant Reformation, social action was not thought of as being done by people in general or by "the people" as a whole. It was understood as being done by men in stations of social leadership where they acted on behalf of the entire community. A believing community not involved in social domination is less likely to phrase the paradigmatic question about a social issue as if the person in office were a member of the community.
- c) Underlying these numerical indications of majoritarian assumptions are more important logical ones. The axiom that a moral obligation can be conceived as binding only if one can wish that all people fulfill it eliminates any consideration of the fact that "all people" have not made the same value assumptions or commitments. Nor does it take into account that all people do not have the same spiritual and community resources for nurturing moral fidelity.

Another implication of a free/peace church orientation is that the question of whether people at large are likely to accept such a stance need not carry normative ethical significance. The New Testament ethic is sometimes described as apocalyptic or radical, as if it requires a special kind of courage (or foolhardiness) for people to take those risks and pay those prices. In one sense, it is important to affirm within the discipline of Christian ethics that New Testament ethics is meant for everyone rather than only for moral heroes and that it is meant for the Christian community in time rather than apocalyptically. Nevertheless, New Testament and peace church ethics presuppose that the moral agent whose conduct is being talked about has made a commitment to Christ's Lordship, to the identity of Jesus who is confessed as Lord, to his teachings and his example, in short, to his authority.

This recognition that Christian ethics is for Christians does not mean, as it is often interpreted, that there can be little to say from a Christian perspective for people who do not claim to be Christians. That conclusion would follow if Christian ethics were thought to have an esoteric source or an esoteric content which did not fit in the same world where others are. Christian ethics is for Christians because it is a non-coercive and non-violent ethic which can be refused. Christian ethics is for Christians because it lets people free not to confess Christ in faith and therefore not to make assumptions on which Christian ethics depends. Non-believers need not be expected to act on the basis of Christian ethics. Ethics need there-

fore not be tailored to fit everyone, especially those who deny the faith. This does not mean that faith or the obedience of faith is not for everyone. It means that God grants, to those who claim it, the freedom not to believe and to therefore not be considered as disciples of a cross-bearing Lord.

Thus, the existence of a distinctive ecclesiastical reality is important in social ethics. The believing community cultivates - in worshipping, in recounting holy history, in making decisions, and in maintaining contacts with the rest of the world - the awareness of a value system which differs from the self-affirming values of family, clan, race, and nation. This does not deny those more selfish values their place. Nor does it condemn them as evil, seek to destroy them, or deny that they may be understood in some sense as orders of creation. But in themselves and when accepted as self-authenticating and self-evidently valuable, these provincial values are less normative than the kingdom and the Christian church which is worldwide. They need to be corrected and balanced by other social experiences giving visibility to wider community realities.

The visible distinctness of church and world is foundational in another direction as well: it is needed in order to affirm the freedom of unbelievers to remain that, the freedom of those who are not ready to take up the cross to avoid that suffering, and to incarnate the respect that the God of the gospel has for the rebelliousness of his creatures. When Luther maintained that "you cannot rule the world with the gospel," the free/peace churches think he was wrong in making the gospel uniquely "spiritual" or other-worldly, or considering it ineffective. But he was correct in assuming that moral choices derived from faith in Christ cannot be imposed on unbelievers.

Fourth and finally, the historic peace churches have learned over the centuries to mistrust certain ethical and theological dichotomies which frequently shape debates about non-violence and violence/coercion. This mistrust of biased dichotomies has also surfaced most pointedly in more recent history, when the initiative has moved from the historical peace churches to the non-violent activities of the 20th century, such as Gandhi and King.

According to one such dichotomy, the moral dilemma of moral purity versus practicality required an ultimate choice between an ethic of means and an ethic of ends. We are told by this way of phrasing the question that an ethic of means must ultimately disregard the consequences and stand for what is intrinsically right, "even if the heavens fall." Such an ethic will presumably focus on one's faithfulness to "principle," and be ready to leave the practical outcomes of one's behavior to divine providence or to others. Such an ethic will presumably remain unconcerned with a detailed analysis of the consequences, if one acts in a certain way. An ethic of ends, on the other hand, will presumably take responsibility not only for right actions, but also for the outcomes; not only for personal intentions, but also for the effects, not only for individual moral rightness, but also for the most just results. Applied to the issue of non-violence, this framework postulates a profound abyss between a pragmatic non-violence and a non-violence of principle. The pragmatic type may be creative in the search for less destructive means, and more effective in advocacy and conflict. The principled type will supposedly be ultimately unconcerned about results and effectiveness.

This mode of reasoning appears practically self-evident to the majority of

western Christians (some would also link it theologically to the division between law and gospel). It however reflects a distinct social situation in which those formulating this dichotomy can conceive of themselves as being at the top of the social and political structure, so that

- they are in a position to make decisions in the function of their vision of the total social process;
- the decision they make can be implemented efficaciously.

People and groups, such as the historic peace churches, who are accustomed to thinking in genuinely minority or non-ruling terms do not make these assumptions. Thus it is fitting that the peace church tradition denies the split between ends and means as normative in both intellectual and practical ways.

The earlier free/peace church vision may well have stated its rejection of this dichotomy in terms which traditional Lutheranism was trained to consider schwärmerisch, because it saw potential for real change in the individual or for authentic progress in human history or for divine interventions to save. Gandhi however spoke of the unity between ends and means in terms of a pre-industrial world-view. And Martin Luther King Jr., spoke of the unity in a post-industrial sense of sociological realism. He recognized that only a common commitment to principle, namely truth-telling and promise-keeping, can effectively hold a community of resistance together. He realized that when individuals claim a sovereign right to sacrifice morally faithful means for the sake of an expected effectiveness of ends, community accountability is destroyed.

In an historic free/peace church perspective, moral insight is not served by contrasting effectiveness and faithfulness as if believers normally are compelled to choose between them. If a clash between faithfulness and effectiveness seems unavoidable in a particular situation with no time for further analysis, believers are called to choose what appears to be "faithful." Such a choice does not however imply an ultimate unconcern with results or a preoccupation with one's own righteousness. It means that acknowledging that the world is in God's hand will likely be more "effective" on the average and in the long run, even if we cannot readily see the connections between faithful means and effective outcomes. Moreover, it is not clear that we should always be able to perceive the continuities which make faithfulness "work." They have to do with the nature of the resurrection, in whose light alone the cross is meaningful. They have to do with God's providence, whose definition means that we cannot always spell out the consequences ahead of time as the basis for our decisions.

Further, according to an historic free/peace church perspective, those approaches to social ethical issues are most valid which do not simply allow the existing authority structure of a given society to be taken as defining justice. This orientation does not amount to an unrealistic or utopian optimism about attaining perfection in this world. It does mean that all structures, whether institutional or intellectual, which claim to resist the transforming power of the gospel, are to be relativized.

Thus, for example, the historic peace churches would be suspicious of the notion that we can be logically compelled to give a sweeping yes or no to some general value like "the civil order," in the sense that saying yes would amount to a basically uncritical stance toward the civil order from

that point on and in the sense that saying no would necessarily mean "withdrawal" from participation in the civil order. The Augsburg Confession condemns the Anabaptists for withdrawal. But the Anabaptists "withdrew" from a government in which they in any case had no possibility of participating as citizens. In that historical and political context, the same government simultaneously denied them freedom of religion as individuals and their local congregations any voice in determining their own order. The "Obrigkeit" Anabaptists found before them in the 16th century represented a late feudal absolutism which denied political rights to its subjects and religious freedom to everyone. In that context, Anabaptists said that Christians cannot consistently participate in government. In situations where a greater degree of freedom to participate in the political process was granted to subjects (who, strictly speaking, then become "citizens" rather than merely "subjects"), sectarian-type Christians in a minority have generally participated conscientiously in the pluralistic political process. Indeed they have often done proportionately more than their share, as minority groups tend to do in open societies.

Thus the paradigm for peace church experience with respect to the matter of participation in the social and political process is not a kind of voluntarily chosen and systematic "withdrawal" which confirms the condemnation of Augustana XVI. It is exemplified rather in the qualities of pluralistic participation acted out by the Quakers in England, the exceptional experience of social leadership exercised in Penn's colonies in America, and by the Doopzsgesinde in the Netherlands.

Thus, in an historic church perspective, civil authority does not represent a bloc which can and should either be affirmed uncritically as a whole or rejected globally in either sociological or theological terms. "Civil authority," "society," "political process," etc., are concepts which represent many kinds of activity and value. In some of these activities and values the disciple of Jesus will not be welcome or will not be effective or will not be free. The selection of emphases and accents should however be determined on the basis of opportunity rather than sweeping moralism. For that reason, the biased dichotomy of participation-withdrawal is also one which the historic peace churches have also increasingly learned to mistrust as a framework for Christian ethical discernment, judgment, and action.

C.

We turn now to an historic peace church perspective on the more recent discussions about violence and/or non-violence in relation to oppression, injustice, and liberation movements. The historic peace churches have traditionally rejected violence in the form of war as contrary to God's will. They have done so within a theological and ethical frame-of-reference which confessed Jesus as normative for Christian conduct, presupposed the visibility of a freely believing church as distinct from unbelieving society, understood Christian ethics to be for Christians and offered to others without being imposed upon them, and included the Christian community's witness to the gospel and sacrificial service in the world.

During the last thirty years, ecumenical dialogue challenged the historic peace churches to articulate more clearly their rejection of war and their

stance with regard to peace. In the last twenty years, their own mission and service efforts, their increasing participation in a broader range of social, economic, and political institutions, as well as ecumenical debate and dialogue, have confronted the historic peace churches with contemporary forms of racism, oppression, social and economic injustice and struggle for justice and liberation. Faced with these challenges, they have begun to re-think their understandings of peace and non-violence. Faced with many forms of violence, they are seeking to establish guidelines and priorities for action and witness. It would be premature and inaccurate to speak of a consistent and systematic historic peace church understanding of violence/non-violence, justice and peace as "answers" to these current questions. Nevertheless, I shall attempt to summarize the direction which historic peace churches' responses are beginning to take. This summary is limited in scope, drawing upon several representative statements from historic peace church groups and agencies in North America.

The historic peace church rejection of violence has seldom, if ever, begun with a precise conceptual definition of violence, in order to then reject it as a justifiable option for Christian ethics and conduct. The recent statements are no exception. They do not offer a systematic concept of violence with a careful delineation of its causes, eventual criteria for distinguishing between legitimate and illegitimate violence (which might amount to another "biased dichotomy"), or the goals of violence. Nevertheless, violence is seen as present in several "forms," as distinguishable from power, and as describable in discrete and concrete ways.

In contemporary ecumenical discussions, the notion of "structural" or "systemic" violence has been employed to indicate the use of violence not only in wars or revolutions, but also its presence in unjust and oppressive economic, social, and political structures. One function of this concept in ecumenical debate has been to recognize that violence may be present (or in fact is present) not only in revolutionary movements, but also in the "status quo," where its legitimacy may be equally questionable and where it may justify the use of revolutionary violence as an ultima ratio by Christians. This broadening of the notion of violence has not produced an agreed upon concept of violence. But it has rendered more evident that the revolutionaries are not the only agents of violence.

In their response to the Cardiff Report, several historic peace church representatives note that there appears to be not one, but "multiple ways of discussing structural violence." Some of them question whether the term is "precise enough to guide a careful analysis" of what they all oppose. When they have adopted the language of structural or systemic violence, recent historic peace discussions and statements have often tended to describe phenomena of oppression, injustice, and coercion in terms not unlike those in ecumenical discussion. One such statement, for example, speaks about "systemic or structural violence" as "the violence often hidden in the usual and customary institutions and practices." In this sense, structural violence "refers to violations of personhood such as malnutrition, oppression of apartheid, or denial of equal opportunity because of one's class, race, age, or sex." Other statements use different terms to refer to similar realities. Regardless of the availability or lack of a clear definition of structural violence, historic peace church representatives would tend to agree that the realities to which it points are often present and that many Christians are implicated in them. But they would not accept the presence of injustice and oppression as legitimating the participation in revolutionary violence for Christian ethics and conduct. Nor would they see in

the rejection of revolutionary violence a rationale for engaging in violence to maintain order. The grounds for rejecting both "structural" and revolutionary violence are derived from the biblical testimony to the way in which Christians are called to work for justice and liberation. "The world confronts us with the temptation to use violence in war, to acquiesce and participate in structural violence, and to support violent revolution against structural violence. Although we seek to identify with the oppressed, to these three types of violence we make a uniform response: the Scriptures call us to reject all forms of violence and to undertake non-violent acts to exercise our commitment to human liberation and justice."

Before summarizing the major reasons why Christians are called to reject violence in their commitment to liberation and justice, we should note that an historic peace church orientation distinguishes violence from power. "Power is essentially the ability to get things done and may be exercised through non-violent techniques available to the so-called 'powerless' as well as through military and economic force." There are at least two reasons for differentiating power from violence in this context.

In the first place, the concept of power should not univocally be linked with force and violence because there are many other forms of power. Jesus demonstrated the power of forgiveness, the power of an alternative community in the calling of the disciples, the power of confronting religious and political authorities with a greater righteousness. Historic peace churches would maintain that love has the power to effect justice and to change human hearts as well as structures. The experiences of a Gandhi and a Martin Luther King Jr. demonstrate the power of truth-telling in situations where the perversion of truth is used to cover up injustice and oppression, the power of solidarity in suffering in situations where repressive structures and regimes defend an unjust status quo, the power of non-violent confrontation in the struggle for justice and peace. In their response to the Cardiff Report, the historic peace church representatives observed that greater differentiation and discrimination between different kinds of power would be necessary in order to more critically and carefully assess to complexities of violent and non-violent action in relation to social change: "The opportunity for illumination of the issues of liberation and systemic change from many contemporary psychological, social, and political analyses of power has been bypassed in the report. Some of the perplexities of the effect of violent or non-violent tactics might be resolved if discriminations between cooperative, persuasive, utilitarian compromises, manipulative and coercive forms of power were discussed. The discussion of moral and/or spiritual power and the demonic effects of assumed innocence on the part of the crusader for the cause of liberation, as on the part of the conscious or unconscious oppressor, is not treated."

Secondly, the concept of power ought not be equated with force and violence in a way which normally legitimizes the use of violence by those in positions of power and authority. Depending upon their respective emphases and historical experiences, the historical peace churches may harbor greater or lesser expectations about the readiness and ability of older or newer rulers to govern and maintain order without resorting to violence or without misusing power in oppressive, brutal, and lethal ways. They may assume, in terms of historical realism, that those who rule in positions of political, social, and economic power do so by resorting to violence and coercion. They may assume, in terms of historical realism, that those who seek to replace current rulers of oppressive and unjust regimes, in order to take their place, will do so by resorting to violence and force. Nevertheless, a

realistic observation and expectation that violence is and will be used does not render the moral legitimacy of violence and force less ambivalent, nor does it commend violence as an acceptable pattern for Christian ethics and conduct. In an historic peace church perspective, violence is used because of human sin and the fallenness of the structures, not because in some ultimate sense God wills it to be so or because it lies in the nature of human institutions and structures as such.

One recent statement claims that this perspective is biblically grounded and normative for Christian social ethics in which the concern for justice is fundamental: "The biblical concern for justice grows from the failure of humankind to live up to the divine image in which they were created. Instead of creating culture and structures for the glory of God and for mutual benefit, human sin has subverted potentially good structures for the service of human pride and selfishness...The Bible speaks of this process when it refers to 'principalities' and 'powers' created by God..., but now fallen, ruling over the disobedient...and seeking to separate believers from the love of God. Even in their rebellion, however, the powers and structures operate under the providential sovereignty of God. In spite of their fallenness, God can use them to exercise an ordering function, as in Romans where the sword of the state serves to protect good and punish evil (13:1-4), or in Isaiah where God uses pagan Assyria as the rod of his anger against Israel" (10:5). Further dialogue will doubtless be necessary in order to ascertain the similarities and differences between this orientation and a traditional Lutheran perspective. From an historic peace church view, the Lutheran stance tends to equate the exercise of power with the legitimate use of violence and coercion and thus to justify morally the use of legal violence for the maintenance of order.

Recent experiences, debates, and renewed theological and biblical study have challenged the historic peace churches not only to review their understandings of violence and power, but also to rethink the relation of peace to justice. The challenge to consider more seriously the imperative of justice has reminded them that they have often "limited the way of peace and love...to nonparticipation in the hurts of the world." This has led to attempts to elaborate a concept of justice which is biblically grounded, consistent with the rejection of violence, and integrally related to peace. Peace without justice can be only a contradiction in terms. And a justice which ostensibly depends on the sanction or instrumentality of violence cannot be the kind of justice to which Christians are called and empowered.

Because of limited space, I shall forego the attempt to systematically report and analyse the concept(s) of justice which inform recent historic peace church discussions. The reader may consult particularly the Church of the Brethren and the Mennonite statements. In general terms, both seek to develop a theological concept of justice based upon the way in which God is a God who acts to liberate the oppressed and to establish both justice and peace. Accordingly, definitions of justice which suggest that justice consist in "fairness to all concerned" or "equal rights under law" or "giving to each his or her due" or "equal access to resources" are considered inadequate. These definitions omit the concern for reconciliation between hostile and opposing persons and groups which is at the heart of justice (mishpat) in a biblical sense. They do not speak to the "concern for reconciling relationships which is implicit in biblical justice, a justice which seeks more to restore and maintain covenant than to assign blame or punishment." We may note in passing that this focus on reconciliation is also translated into programmatic and operational terms of peace church agencies

which include both expressions and actions of solidarity with the oppressed and the poor as well as witness to and confrontation with the oppressors and the wealthy.

Although it can hardly be considered to represent an historic peace church consensus, the recent Mennonite Church paper on "Justice and the Christian Witness," which has been submitted to the churches for study and evaluation, is based upon a "working definition" of justice which in some measure reflects the more recent historic peace church orientation. According to this description:

"Justice in the Bible is characteristic of the rule of God which is rooted in the demand of the relationship established by God's election and covenant,

- a covenant founded upon his act of spiritual, social, and economic liberation, which is then to be maintained among covenant equals,
- and an election whose goal is to extend this rule to all the earth."

The statement then seeks to elaborate this understanding of justice by describing the character of justice in the Bible, by positing love and peace as the way to justice, and by suggesting guidelines for the Christian community's task in witnessing to and establishing justice.

This conceptualization of violence, power, and justice in contemporary peace church discussions draws upon several foundational elements in their traditional theological and ethical stance with respect to non-violence and their rejection of war. I shall enumerate these elements briefly and again refer the reader to appropriate sections in recent representative statements. These elements include the normativeness of Jesus for Christian social ethics, the mandate of the church to be a sign and witness of peace and justice, and the task of the Christian community to work for peace and justice in its mission and service in the world (see, for example, the 1953 statement "Peace is the will of God" in the Durnbaugh anthology where these axioms figure prominently in the case for Christian pacifism and the rejection of war).

First of all, Jesus' solidarity with the poor, his initiation of a new order of justice and peace, and his willingness to accept the way of the cross rather than the way of coercion and violence remain normative for Christians, both individually and corporately. An historic peace church view therefore challenges biblical interpretations and ethical constructs which contend that Jesus did not in fact face the issues of power, violence, and justice; or that if he did, his way retains little relevance or normative significance for Christians in today's world. They would rather understand the biblical account as demonstrating that Jesus did indeed speak and act in ways which directly address these issues and that the manner in which he did so carries normative theological and ethical significance for discipleship in our time.

Secondly, because the church as the visible community of discipleship is itself to be a sign and witness of peace and justice in the world, it is called first of all to incarnate in its own structures and life the justice to which it testifies. This incarnation of justice will include confession and repentance where the church has acquiesced in practices, structures, and rationalizations of injustice and violence. It will require renewed

commitment to practice justice and change its own structures in a way which reflects the good news of liberation and justice. This repentance and renewed commitment to be a sign and witness which incarnates peace and justice should not be limited to the "internal" life and structures of the church in the narrow sense, but include the church's corporate presence in the world as well as its presence through individual Christians in society.

Finally, the church is called in a particular way to work for peace and justice in the world. On the one hand this will include solidarity with those suffering from injustice and oppression: "As Christians, we find ourselves compelled to stand solidly against injustice and oppression wherever that is identified and we must respond to the situation in the interest of justice. In this we stand solidly with all persons participating in movements of liberation and social justice. However, this does not mean we find ourselves in complete agreement with the affirmative goals of all or perhaps any of the current movements."

On the other hand, the universality of non-violent love and justice means that it includes the oppressor and the enemy as well: "Past movements which have been demonstrably effective in non-violent empowerment have consciously included the 'liberation' or 'humanization' of the oppressor as both end and means." The historic peace church representatives found this dimension missing in the Cardiff Report. More broadly, this aspect of justice seems to be lacking whenever Christian ethics seek to define justice apart from the concept of reconciliation and divorced from the biblical vision of the church as a "universal" community of peace and love.

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OLD WORLD AND NEW WORLD

IN THE LIFE OF CHRISTIANS AND CONGREGATIONS

The Credal Difference Between Peace Churches
and Mainline Churches in the Light of the New Testament

Jürgen Denker

"We have peace with God through our Lord Jesus Christ." In these words, Paul sums up the first main section of his letter to the Romans (5:1). In doing so he makes an astonishing claim. The Messiah Jesus has brought to us the eschatological peace, the peace of the last days. Yet the forces hostile to God, the forces of death and sin, obviously still prevail. In the peace of God, however, surely all pain, distress and death should be at an end? Paul finds the answer in the tension between the experience and the final consummation of salvation. The new world of God's peace is already here, yet it is not here. What does this assertion of suspense and tension mean for the concrete Christian life? Three aspects may be singled out: 1. the question of the general visibility of the Christian life; 2. the question of the connection between the actual life of the individual Christian and that of the Christian community; and 3. the question of the relationship of the individual Christian and the Christian community to God's new world.

I.

Shortly before the outbreak of the Jewish War, the Christian community of Jerusalem - or at least the larger part of it - emigrated from the holy city and settled near Pella in the Decapolis. Our sources are silent as to the reasons. One factor may well have played a decisive role, however: the rejection of the future hopes of the Zealots and the messianic claimants which these hopes engendered (1). After Stephen's violent death, the Jewish Christian section of the church was not at first subjected to any special attacks, but as a result of increasing general unrest and the growth of the Zealot movement in particular, tensions seem to have gradually worsened until they culminated in the arbitrary execution of James the Just. From the account given by Hegesippus, the point at issue was clearly the question of the Messiah (2). Pella was a city located in a protected and secluded place where one could expect to be spared the already ominous rigors of coming war. It is nonetheless surprising that the Jewish Christian community should have opted for a region whose population was largely non-Jewish. Pella was in the Decapolis, a federation of free Greek cities under the direct supervision of the Syrian Legate. At the start of the Jewish War, the non-Jewish population throughout Syria attacked their Jewish neighbors (3). Many of these fled to Jerusalem where an even more certain death awaited them. Yet the Jewish Christian congregation seems to have found a permanent abode in Pella from the time of its exodus from Jerusalem onwards (4). From

this it can be concluded that part at least of the community, possibly even the larger part, remained undisturbed by pogroms.

It may reasonably be supposed that experiences with the Zealots played some part in shaping the passion narrative of the gospels, especially the story of Jesus' arrest. "Have you come out as against a robber, with swords and clubs to capture me? Day after day I was with you in the Temple teaching, and you did not seize me" (Mk. 14:48 f.). The word "robber" here undoubtedly refers to the Zealot guerilla movement. This is the sense in which it is used by Josephus. Even the two robbers of the crucifixion scene, and certainly Barabbas himself, are to be regarded as Zealots. In the light of this, the scene with Judas also acquires an added sharpness of profile, for the kiss recalls the style of the Sicarii, who embraced their victims and then murdered them with the knives concealed in their robes.

It may be assumed that the Christian groups which abandoned Jerusalem differed from many other Jewish groups by their rejection of war against the Romans. In this respect they were in agreement with the non-Jews of the region, the Hellenistic inhabitants of Pella, for example. By this attitude, both groups were distinguished from the mass of the Jewish inhabitants. Opposition to the Zealot war-party and its hopes for the future led the primitive Christian community to behave as the pagan Gentiles did. It refused to take part in this war for the traditional law and the Jewish nation. Since its rejection of the war was rooted in the difference in messianic expectations, it is reasonable to ask whether this de facto pacifism of the primitive Christian community was not also one of principle.

In any case, however, it is clear from this example that the question of the visibility of Christian life and existence obviously depended on the circumstances at any given time. In this case, unlike their Jewish neighbors, Christians, like their non-Jewish neighbors, were determined not to embark on this war. What distinguished these Christians from their pagan neighbors was not their behavior but their faith.

This state of affairs also becomes clear in a different way in the first letter to the Corinthians when Paul forbids sexual intercourse with a prostitute (6:15), but does so, indeed, not on the basis of moral considerations. The Corinthians thought it was permissible for them to have sexual relations with a prostitute because they had become independent of the world through Christ; in Christian sovereignty, everything was permissible (6:12, "All things are lawful for me"). Paul seeks on the basis of faith to develop norms for actual Christian living; here he argues from the concept of the body (soma). Since sexual intercourse with a prostitute is idolatry, it divides from the body of Christ, i.e. it "cuts the Christian off from communion with the Lord, even though the sarx is dismissed as motivation" (5). Pagans, too, of course, can refrain from intercourse with a prostitute, but such abstinence is not in itself any distinguishing mark. Here again, it is faith which leads to a certain form of conduct, whether in the case of the Corinthians or in that of Paul. The problem lies not in the conduct as such but in the question of the way in which the world-dimension of the faith is presented. The Corinthians are convinced that they can demonstrate their Christian freedom by ignoring the realities of the world. In Paul's judgment, this difference to the world leads on the contrary to idolatry, and therefore, in the last analysis, to sin (6:18). It is clear from 7:13 f. that Paul does not reject intimacy with pagans on principle. His view here is that the Christian marriage-partner can sanctify the non-Christian marriage-partner. What leads Paul to reject inter-

course with a prostitute, therefore, is clearly the close connection between prostitution and idolatry. Here again, therefore, it is theological considerations which determine conduct. This conduct can become transparent as action on the basis of faith, but not automatically.

The author of the letter to Titus seeks to combat false teachers by the organization and discipline of the Christian community. The purpose (1:9 f.) of the choice and installation of the elders, and the bishop from among them (1:5-9), is the struggle against false teachers (1:10-16). For the same purpose, the congregation is organized into different groups - old, young, men, women and slaves (2:1-10). The basic instruction for all is given in 2:11-15. In the third chapter, the author tackles the relationship and behavior of Christians to the surrounding society: whether to authorities or to neighbors and acquaintances. The stress is on gentleness and kindness, i.e. on a non-aggressive attitude and conduct. Since the whole letter is concerned with the defence of the community against false teachers - as is clear once again in the summary in 3:8-11 - we may assume that this is also true for the opening verses of chapter 3. What these exhortations to friendly dealings with the world around the community have also in mind, therefore, is the avoidance of any clash with this world which might provoke pogroms. What is important is that this relationship to the surrounding world and especially to the authorities should be such that any possible denunciations, especially by Jews or Judaizing opponents, remain innocuous since the actual behavior of Christians places them above all suspicions of this sort. Precisely so that it may be able to live its faith in the surrounding world, the Christian community is exhorted to distinguish itself from its environment by its behavior. What is in view here, of course, is the generalizing attitude of people outside the church, with their stereotyped ideas of "the way Christians are." The exhortations of 3:1 f. are not only defensive in character, of course, but also have a missionary interest. This is indicated by such terms as "the washing of regeneration" and "renewal in the Holy Spirit" (3:5). The characteristically different conduct of Christians is not only to inspire a friendly attitude in pagans and Jews but also, if possible, lead them to the same sort of transformation in their lives as that to which Christians themselves can point in theirs (3:3-7).

Both these justifications of the new conduct of Christians - the defensive apologetic argument and the missionary argument - are rooted, in the last analysis, not in strategic considerations but in the saving event itself. The fact of the matter really is that the gentleness of Christians is rooted in and reflects the amiability and kindness of the God who has set Christians free from a wicked life of envy and enabled them by a life renewed by the Holy Spirit to produce this new nature. It is therefore in faith that the possibility and the reality of this new conduct of Christians lies. As has often been noted already, this conduct is certainly also, at the same time, an adaptation to the surrounding world. What Christians do is certainly intended not to repel but to attract pagans. This means, however, that certain of the surrounding world's concepts of value must be accepted and assimilated. The idea is that the pagans should not say: "Christians are different" but "Christians are like that." Precisely because the Christian faith when lived is always related to the total common life shared by Christians and non-Christians alike and seeks to make itself intelligible in that common life, it is always adapted to society around it, analogously to the revelation of God in the concrete historical figure of Jesus of Nazareth. But from the example of the letter to Titus, it is also true that "the need to develop adaptive reflexes does not make

it impossible in principle for human freedom of action to evade these reflexes. For, faith being constitutive for the human being's historical existence, it is possible for the human being to evade the pressure of the rest of the world to the degree that his or her faith transcends the data of his or her life" (6).

Our question as to the visibility of lived Christian existence has been posed at three points. At all three points faith is the decisive and distinctive element. Faith therefore becomes visible in that which the human being achieves in practice. In its visible form, however, it remains hidden, for it is always accessible only to the believing subject (7).

II.

The author of the letter to Titus addresses his readers as a totality, as a community. In virtue of the context, the plural "them" (3:1), which unlike such a term as "your congregation" has an individualizing effect, relates to the praxis of the whole community. Yet this statement is not as unambiguous as it might seem. Verses 3:3 ff. are firmly connected with verses 3:1 f. by the connective "for." At first sight, this "for" is meaningless. For the summons to gentleness certainly does not necessarily follow from the reminder of previous disobedience. The argument should probably be understood somewhat as follows, therefore: "For the situation is as follows: once we were..." But the plural "we" certainly does not refer to a community, not even to that of Gentiles or Jews, for the community here is clearly composed both of former Jews and of former pagans. The word "we" certainly refers, therefore, to the individual persons within the community before their conversion to Christianity, to no matter which community they may have then belonged. The continuation of the plural "them" in the plural "we" shows therefore that the individualizing aspect was not missing from the "them" in 3:1.

The verses show that the saving event leads from solitariness into community but without denying the individual character of the faith of each single individual. Despite the clear intention to make the congregation as a whole appear as distinct from the surrounding world and thus become visible as a part of the new world, the transformation of the conduct of the individual Christian is not ignored. For it is in the concrete behavior of the Christian that the behavior of Christians becomes visible.

The change of subject from "them" to "we" is striking. Whether intentional or not, the idea which emerges here is that of the justified sinner. The author is not saying, of course, that Christians are sinners, but nevertheless the past, though overcome, has not been forgotten. Christians are not in fact unqualifiably "just persons" but "justified sinners." The presence of the former being of every individual Christian becomes perceptible dialectically in the non-aggressive behavior which affirms solidarity. If the being of the Christian community defines the being of the individual Christian, so conversely the being of the Christian also defines that of the Christian community.

When we turn to the gospels, account has to be taken of the difference of the missionary situation of Jesus and his disciples in Palestine in a more or less closed national body and that of the early Christians in the Roman

Empire. The basically cosmopolitan character of the Roman Empire will have encouraged greater emphasis on the individual person or individual groups within the mass of the population. The movement initiated by Jesus was a movement of conversion directed to the whole Jewish nation. The kingdom of God was to be looked for not in holy separation and the formation of groups, as the Qumran people and the Pharisees thought, nor even in the denunciation and extermination of possible national foes, as the Zealots thought and practiced, but rather in the love which can cross and surmount all divisions and prejudices. The hope that the whole nation would be converted was disappointed; on the contrary, the disaster towards which its history rushed was an appalling one.

A stronger concern with the individual is to be found in the Lucan form of the gospel material. In Luke's editing of the arrest scene we find reflected the experiences of Christians under persecution. In face of the hostility shown to Christians, in face of the martyrdom suffered by them, it is easy to see why Christians should have wished to have recourse to retaliatory violence against the legal force unjustly used against them. This wish can be heard in the disciples' question: "Lord, shall we strike with the sword?" (22:49) The question is formulated in a way which expects an affirmative answer: "Lord, surely the time has come for us to strike with the sword!" One of the disciples, therefore, immediately proceeds to act accordingly (22:50). Luke is convinced that such force is bound only to produce further misfortune. He therefore portrays Jesus as immediately emphasizing the consequences of this blow and repairing the soldier's damaged ear (22:51). The interpretative saying at the conclusion of the scene: "This is your hour and the power of darkness" fits the whole scene into the Lucan vision of history. If the time of Jesus was the time of salvation, the time of Luke was that of the martyrs. This time of the martyrs begins with the passion of Jesus, which is told as a pattern of the passion of Christians. Not every Christian suffers martyrdom, of course, but the present time is defined as a time of suffering, as a time of severe testing. As Peter's denial shows, no disciple is automatically immune from failure in the time of trial (22:34), even although he is aware of the inescapability of suffering (22:33). Luke records that Peter, after his denial will "turn again" (22:32). If the events related of Peter are at all paradigmatic and not simply the historiographical account of unique events in the past, this surely means that the Christian stands on the battle front between Satan and Christ (22:31 f.). Here the final victory of Christ is indeed certain, but the actual life of the Christian is obviously not innocent of defeats. The word "you" in the phrase "Satan has desired you" is meant, therefore, in an individualizing sense. To be sure, it refers to the members of a group which stands paradigmatically for the Christian community, but it refers to them precisely as single individual persons.

As the Christian missionary movement left the soil of Palestine and the neighborhood of the Jewish synagogue, because of the hugeness of the Roman Empire and the rich diversity of nationalities within it, the conversion of the individual human being or of an individual human group was bound to come more strongly to the forefront, even though the proclamation of the gospel is still addressed, as in Paul, to the whole world. It is surely striking, however, that in Romans 1:16, in the statement of the theme of the whole letter, Paul does not say: "...to all who believe, to the Jews first and also to the Greeks" but rather, employing the singular, "...to everyone who believes, to the Jew first and also to the Greek." Certainly the formula has a totality in view, but it is nevertheless an individualizing one. The salvation of God is not offered to the individual as member

of a group; rather is it inalienably a question of every single individual. In contrast to this insistence on the faith of every individual Christian, however, the introduction to the paranses, i.e. to the statements concerning the faith as lived and attested, begins not with the words "I exhort you, now, brother..." nor with the words "I exhort every single one of you, my brothers..." but with the plural words "I exhort you my brothers..." (12:1). It may of course be questioned whether this nuanced way of speaking, now of the believing Christian, now of the believing community, has any substantial basis, or whether Paul attached any importance to it at all. I am struck by the fact that in 12:3 after the fundamental opening verses, the individualizing phrase "every single one" occurs again: "I bid every single one of you..." This way of putting the matter is certainly connected with the fact that the conduct the apostle is warning against ultimately leads to solidariness and isolation, for it separates its doer from the community. Faith, which is certainly not imparted to a collective but to every single individual according to his or her measure, leads on the contrary into the community (12:4 f.). It seems to me that whenever there is a danger of departure from the state of salvation, Paul prefers to speak in individualizing terms, but that when he offers exhortations concerning the positive form of practical faith, he prefers to speak to Christians as a community. This can frequently be observed in the letters (Gal. 3:5 f.; cf. Rom. 14:19 f.; 12:9 f.), and for obvious reasons, since sin leads into isolation but faith into community. It seems to me that, in respect of the relationships of the Christian to the Christian community, Paul reckons with a dynamic process. Just as the Christian lives in the tension between experience of salvation and the final consummation of salvation, so too in the tension between experience of community and the final fulfilment of community. The possibility of damaging the communion of the body of Christ is recognized by Paul (cf. 1 Cor. 6:18, 8:12 f. and the problem of the Galatians letter), as also by Luke (see above). Community/church is therefore engaged constantly in a process of "becoming" (cf. also Col. 3:5-11). It too is involved in the suspense and tension of the movement between the "not yet and the already now," just as is the life of every single Christian.

III.

The fact that the term parakalein and its derivatives are used mainly in the Pauline corpus of letters strikes me as interesting. In 1. Cor. 14:3 Paul defines the function of prophecy as "upbuilding." This takes place in exhortation and comforting. The two German words used here, Ermahnung (exhortation) and Tröstung (comforting), denote two different realities. The two Greek words which they render, however, are in practice synonymous. (It may be that the two terms are distinguished by their reference to different addressees; the one lays the emphasis more on the community as audience, the other more on the personal address.) Both can be rendered either as "exhortation" or "comforting." Parakalein implies encouragement, so that this form of speaking could be described as offering guidance. Depending on the situation in which the person addressed finds him- or herself, this guidance will be taken as either exhortation or comforting. Anyone who is in danger of giving priority to his or her own desires and wishes will interpret the apostle's paraklesis as warning and exhortation; on the other hand, anyone who is in doubt as to which way to take it, will interpret the paraklesis as encouragement, comfort, guidance. In 1 Thess. 4:1, 2 Cor.

10:1 and Rom. 12:1, the verb stands in an emphatic position, namely, in the introduction to the paranesis. It is always connected with an expression which links the warning/comfort with the saving event. Thus the word parakalein connects up with the liberation to a new being, achieved by Christ and applied by the Spirit, though without this being regarded as a statically fixed reality. Obviously the individual as well as the community stands on the borderline between the old world and the new. As regards the ultimate decision, the die is already cast, otherwise there could be no comfort. The Christian has been removed from the power of sin. He or she is therefore in a position to follow this guidance. The fact however is that the full appearing of the new world is still to come so that the new being of the Christian is constantly exposed to the onset of the old world of the past.

This pattern of the apostolic guidance is clearly present, it seems to me, in Hebrews 12:5 as well. The author cites here an Old Testament paranesis (Prov. 3:11 f.). He describes this as paraklesis. If the phrase "in the struggle with sin you have not yet resisted to the point of shedding your blood" (12:4) is viewed from the standpoint of suffering, paraklesis will be translated as "comfort"; but if we have to assume an unwillingness or fear of suffering on the hearers' part in the struggle against sin, it will have to be understood to mean "exhortation" (as in the RSV).

The Christian life is lived in the movement between the experience of salvation and the consummation of salvation (8). Paul expresses this very beautifully in Phil. 3:12 ff.: "Not that I have already obtained this or am already perfect; but I press on to make it my own, because Christ Jesus has made me his own. Brethren, I do not consider that I have made it my own; but one thing I do, forgetting what lies behind and straining forward to what lies ahead, I press on toward the goal for the prize of the upward call of God in Christ Jesus... Let us hold true to what we have attained. Brethren, join in imitating me, and mark those who so live as you have an example in us." Although Paul is certainly speaking here in a way which is universally valid for the Philippians, his starting point is nevertheless his own personal experience of salvation and the dynamic of his own personal life in the direction of the consummation of salvation. While we may certainly regard the apostolic foundation as something unique and unrepeatable, it is surely significant that the personal, individual Christian life can be a pattern for the life of the Christian community. In the Christian community itself there appear to be differences in the way the Christian life is realized. For there are obviously those who imitate Paul (3:17) whereas others still have to labor to approximate their manner of life to their pattern.

The apostolic life is defined wholly by the foundation of salvation and its fulfilment. To this extent, the old world has retired into the background. But Paul does not say that it was non-existent. The fact that Paul forgets what lies behind does not mean that he denies the continued existence of the old world. It has nevertheless lost its power to determine our existence. Yet it makes itself perceptible in the life of Christians and of the Christian community; e.g. in the temptations and trials or in the consideration of conditions in the unredeemed world (9). The exhortation to live peaceably with all is qualified by the note "if possible, so far as it depends on you" (Rom. 12:18), and this in spite of the fact that in the fundamental words at the beginning of the chapter, the apostle says: "Do not be conformed to this world" (12:2). Or again, Paul, despite the prohibition of divorce, allows divorce if the unbelieving partner desires it (1. Cor.

7:15). Even in this case, the maintenance of peace is a fundamental consideration.

In the conditions of an unredeemed world, therefore, a witness is to be given to God's new world. This is the world-embracing creative action of God which transforms the conditions of domination, an action whose foundations are laid in the cross and resurrection of Christ and which will be consummated when the judge of the world appears. The human being whom Christ has made his own is incorporated into this event. He or she is led out of isolation into the community of forgiven sinners, without thereby losing his or her individuality. The boundary between old and new world is located, therefore, not in the anthropological or the sociological sphere, but between the action of God and resistance to his sovereignty. The Christian and the Christian community are therefore both called to attest this action as a determinative reality of their existence. We have to understand that this witness is recognized as unambiguous only in faith. To this extent faith is the all important difference between the new world and the old. For this reason, the New Testament and the Ancient Church were also tireless in emphasizing their membership of another country (*politeuma*) as the decisive difference differentiating them from their surrounding world; yet this can again and again be relativized and accommodated (cf. e.g. the different attitudes to the question of the consumption of meat sacrificed to idols). Because faith determines the actual life of Christians, the concrete shape of Christian existence can be varied again and again despite certain constant principles of Christian conduct, e.g. the non-aggressivity of Christians and their readiness to maintain peace with all.

IV.

Let me propose three conclusions in thesis form:

1. The boundary between old world and new world in the action of Christians in relation to the world is not to be defined statically. It is again and again redefined in God's loving concern for his creation. Christians and Christian community live constantly therefore in the tension between experience of salvation and consummation of salvation. The legitimacy and illegitimacy of force are therefore to be defined in such a way that they remain open for the variations of the divine action. The tension between the experience which Christians and the Christian community have of community and their finally consummated community must likewise be taken into account.

2. In accordance with the New Testament it is possible to speak of principles of Christian conduct. These include the Christian's readiness for peace and a basically non-aggressive attitude. Even in respect of the application of force, therefore, Christian conduct cannot simply be left to the supposed demands of a given situation as a determinative norm.

3. The differentiation between old world and new world in the action of Christians and the Christian community in relation to the world can only be achieved in faith. The conduct of Christians as such can coincide in every respect with that of other groups. While it is true that the action of Christians can become a sign, it nevertheless remains as such always ambiguous, and this applies therefore even to the decisive rejection of all

forms of violence. Despite its "visibility," only to faith does it become visible as action based on faith.

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Notes:

- (1) M. Hengel, Die Zeloten, E. J. Brill, Leiden-Cologne 1961, p. 307.
- (2) Eusebius, Hist. Eccl. II, 23, 4-19.
- (3) Josephus, Jewish War 2, 461.
- (4) H.J. Schoeps, Theologie und Geschichte des Judenchristentums, Mohr, Tübingen 1949, pp. 262-273.
- (5) S. Heine, Leibhafter Glaube, Herder, Vienna 1976, p. 142.
- (6) S. Heine, op.cit. p. 208.
- (7) S. Heine, op.cit. p. 208.
- (8) P. Stuhlmacher, "Der Begriff des Friedens im Neuen Testament und seine Konsequenzen," in W. Huber (ed.), Studien zur Friedensforschung 4, Klett, Stuttgart and Kösel, Munich 1970, pp. 21-69, esp. p. 37.
- (9) W.C. van Unnik, "Die Rücksicht auf die Reaktion der Nicht-Christen als Motiv in der altchristlichen Paränese," in W. Eltester (ed.), Judentum-Urchristentum-Kirche, BZNW 26, A. Töpelmann, Berlin 1960, pp. 221-234.

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- M. Hengel, Victory over Violence, Fortress Press, Philadelphia 1973.
- W. Schäfer, "Frühchristlicher Widerstand," in H. Temporini and W. Haase (eds.), Aufstieg und Niedergang der römischen Welt II 23/1, W. de Gruyter, Berlin/New York 1979, pp. 460-723.
- P. Stuhlmacher, "Erwägungen zum ontologischen Charakter der kaine ktisis bei Paulus," in Evangelische Theologie 27, 1967, pp. 1-35.

Also the usual commentaries.

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